TRANSITION TO DEPENDENCE:
THE COOK ISLANDS AND NEW ZEALAND COLONIALISM TO 1915
With reference to Government – Maori relations
in New Zealand

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PREFACE

The Cook Group consists of fifteen small and scattered islands lying between Samoa to the west and the Society Islands to the east, and extending southward nearly to the Tropic of Capricorn. They are inhabited by Polynesians known as Maoris who, at the time of European contact in the early nineteenth century, numbered about 18,000.

The authority structure in the islands was characterised by title-holding, reinforced by mana derived from leadership in various fields—religious, political, social and economic. In all but two of the islands there were one or more tribes (vaka) led by paramount chiefs, known as ariki, who traced their descent, usually through the senior male line, to the leaders of the migrant ancestors and ultimately to the gods. In some islands there were also lesser chiefs: the mataiapo whose ancestors, in Rarotonga for example, were the immigrants among whom the land was first distributed; and the rangatira who were usually the descendants of junior chiefly lines.

Apart from the religious significance of mana ariki, the continuing relationship between the chiefly ranks themselves, and between the chiefly ranks and the commoners, was based upon a complex system of reciprocal rights and obligations related to land-holding. 'In return for the fulfilment of his duties of office, the chief derived prestige and respect as well as material goods and security', while 'his immediate household and subsidiary chiefs also stood to benefit from his authority and prestige'.


2 ibid., p.23. When the missionaries arrived at Rarotonga in the 1820s, the island was divided into three tribal areas, each with its paramount chief: Te-Au-O-Tonga (Avarua), under the Maka ariki, with two others of lesser authority, Karika and Vakatini; Takitumu, under the joint chiefs, Pa, paramount in the north, and Kainuku, in the south, although Pa was the more powerful; and Puaikura, (Arorangi) under Tinomama.
Although two of the northern atolls were discovered by the Spanish explorers, Mendana and Quiros, at about the beginning of the seventeenth century, the main period of European exploration of the Cook Group did not occur until the half-century from 1765 to 1823. In the latter year, John Williams of the London Missionary Society (LMS), which was already well established in the Society Islands, revisited Aitutaki, where he had left Tahitian teachers in 1821, and went on to Rarotonga and other islands of the southern group. During the years that followed, the Cook Islands Maoris were rapidly Christianised. With some exceptions, notably at Aitutaki, the teachers and missionaries worked through the indigenous authority structure. A 'theocratic' type society thus came to be established, based on a strict legal and moral code adapted, with the approval of the chiefs, from that of Raiatea. One of the effects of these changes, including the pacification of the people, was to enhance the authority of the ariki at the expense of the lesser chief.

The years from the 1830s and 1840s were marked by the increasing dominance of the ariki in the economic sphere. This was brought about by their control over the developing trade, initially most important in the provisioning of whalers, and the advent of cash-cropping which, in turn, led later to the accumulation of wealth and possessions in an increasingly money economy, and to some abuses of their traditional powers. French hegemony in Tahiti from the 1840s helped boost trade, and from the 1850s there was growing pressure from traders who wished to settle in the islands.

The relative lateness of penetration by trading interests was due to the smallness of the islands, their comparative paucity of exploitable resources and their lack of harbours. Thus the missionaries had been the first Europeans to establish their influence in the group, but by mid-century, their policy of exclusion of aliens, which had been supported by the ariki, became increasingly difficult to enforce with the growth of trading activity in that part of the Pacific. In the light of the Tahitian experience, the policy was modified, although at first under strict conditions. From the 1860s, traders began to settle in growing numbers, mostly on Rarotonga, and the years that followed saw the development of factionalism, trade in liquor, and the general problem of civil
control over both the European settlers and migrants from the northern islands of the group.\(^3\)

The increasing assertiveness of European traders and planters and the attendant difficulties of control, coupled with a mounting fear of intervention by the French, who had been seen as a threat from the 1840s, led to reluctant requests by the ariki for British protection. They interpreted the term literally, neither wanting nor contemplating any infringement of local autonomy. Judging by events elsewhere, it seemed almost certain that protection would bring a measure of external control over the affairs of the islands but this was never accepted by the ariki.

Meanwhile, in order to further their own interests, the local Europeans had also sought British intervention and, by 1881, had obtained the appointment of one of their number as a British vice-consul. With renewed fears of French invasion, and encouragement from New Zealand, whose governments had long aspired to territorial expansion in the Pacific, a Protectorate was finally proclaimed by Britain over the southern islands in 1889. Within little more than a decade the islands lost their autonomy when they were annexed to New Zealand in 1901.

My purpose in this thesis is to examine, firstly, the process by which Cook Islanders were deprived of their autonomy—especially the means adopted by New Zealand to effect the annexation; and, secondly, the subsequent period up to the passage of the Cook Islands Act 1915, which entrenched the regime that had been established and provided the basis for a further half-century of colonial administration.

The pioneering and still the only major work on the Cook Islands which fully covers this period is R.P. Gilson's unpublished thesis 'Administration of the Cook Islands (Rarotonga)', while the period up

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\(^3\) This was a Pacific-wide phenomenon noted by such writers as Ward, Sinclair, Morrell and, in particular, J.W. Davidson, 'European Penetration of the South Pacific 1779-1842', unpublished Ph.D. thesis, University of Cambridge, 1942.
to the annexation has been documented within the context of New Zealand's Pacific aspirations by Angus Ross.

In its approach and emphasis this thesis differs from these works in two important respects. As a result of obtaining access to primary material not available to Gilson or Ross, I have been able to examine the annexation in greater detail than either, and have been persuaded to place greater emphasis on the conspiratorial aspects of the manner in which it was effected.

In addition, a major question with which the thesis is concerned is the argument, propounded by successive political leaders, that, because of her experience with the Maori, New Zealand was in some way well fitted to administer Polynesians in the Pacific - a rationalisation which J.M. Ward regarded as an 'extraordinary thesis', but which Ross described as


5. Indications of this were first given in R.P. Gilson, 'Negotiations leading to British Intervention in Rarotonga (Cook Islands)', HSANZ, Vol. 7, No. 25 (Nov. 1935), pp. 62-80; and in R.G. Crocombe, Land Tenure in the Cook Islands, Melbourne, 1964, pp. 100-101.

'not without its commonsense aspect'. This latter view led Ross to suggest that the only blemishes to the 'success' of Colonel Gudgeon (British Resident from 1898 who remained as Resident Commissioner until 1909) were those attributable to his 'lack of competent staff'; and to refer, seemingly without reflection, to the 'practical value' of his 'training ... in dealing with Maoris in New Zealand as Resident Magistrate and later as a Judge of the Native Land Court'. He did not mention Gudgeon's earlier experience in the Maori wars.

The important question, it seems to me, is in whose interests Gudgeon's 'training' was of 'practical value'. I have therefore concentrated on the politics of the period with particular emphasis on Gudgeon's role, for what he decided to do was in large measure all the policy there was.

If the argument were one propounded only by white political leaders in support of their country's territorial ambitions it might be easily dismissed. But the issue is complicated by the use Maori Parliamentarians made of both this argument and the earlier one based on the racial affinity of New Zealand Maoris and Pacific Polynesians. Especially prominent among these were the Maori politicians Te Rangi Hiroa (Peter Buck) and Apirana Ngata. In particular, it was Ngata who, shortly after he became Minister of Native Affairs and of the Cook Islands in 1928, acclaimed the success of New Zealand's domestic native policies and held up her record in the Cook Islands as proof of her particular fitness to govern Polynesians.

It is for these reasons that the thesis begins with a rather broadly based chapter outlining the experience of Maoris in New Zealand and the nature of official domestic native policies. Cook Islands developments may thus be seen against a background of what had happened and was happening in New Zealand. In this chapter I have given particular attention to the influence of highly educated and articulate Maori politicians who

8 ibid., pp. 228-9
rose to social and political eminence within European institutions largely on the tide of Maori protest led by older traditional chiefs. Their special vision of the future of the Maori within the framework of the dominant politico/economic system, and the approaches they adopted to preserve Maori land and identity, were also to shape their attitudes to the Cook Islands when, from 1909, they had charge of them.

What might be considered a rather negative approach (which has sacrificed instances of co-operation, particularly in the sphere of economic entrepreneurship and within the Resident Magistrate schemes) is the result of concentration on issues which precipitated Maori reaction and protest. 9

The concluding chapter is devoted to an assessment of New Zealand's record for the period surveyed in the light of the 'fitness to govern' claim, and it attempts to relate this to other themes which emerge from the thesis.

A Note on Sources

There were two major difficulties in undertaking research on the period 1901-1915. Firstly, the Cook Islands have no official archives and, except concerning the Land Court, there appears to be little of relevance that has survived from this period in the unsorted records at Rarotonga. Secondly, although this is mitigated in respect of the annexation itself by the presence of the Seddon Papers in the New Zealand National Archives, there is very little material there for the remainder of the period. Of the pre-1921 Cook Islands records only four letter books and some files incorporated with later files remain. There is outwards correspondence from 1906 to 1913 but no inwards correspondence at all. 10

These gaps in official sources and the general lack of unofficial papers and records of Cook Islanders have made it especially difficult to

9 The form of this chapter was dictated also by the necessity to achieve several diverse aims and because it seemed more appropriate, since the thesis is to be submitted in Australia, where there is no concentration on New Zealand history, than an analytical or strictly thematic approach which relied on familiarity with a range of historical material

obtain any detailed picture of Cook Islands attitudes and reaction. I have had to rely more than I would have wished on official correspondence published in the New Zealand Parliamentary Papers—which diminished sharply from about 1906—and on the small political content of missionary correspondence.

This discouraging situation has been alleviated, however, by three other sources, two of which had not previously been used by researchers and a third too narrowly, although their existence has been known for some years.

The first of these are the Moss Papers in the Libraries of the Auckland Institute and Museum and the University of Auckland. The most significant items in these Papers are the letters of Charles Wells Banks to Frederick Moss, the first British Resident, from the time Moss left the islands until his death in 1904. An Englishman who had become a naturalized American, Banks arrived in the Cook Islands in 1888—allegedly after having stolen, or having been involved in the loss of, $20,000 from Wells Fargo & Co., San Francisco. Following a short period on the island of Atiu, he lived at Rarotonga until his death in 1915 at the age of seventy-five. During that time he was a trusted employee of the firm Donald and Edenborough and acted as auditor for the Cook Islands Government from 1891 until 1898. The Banks correspondence has proved the richest and often the only unofficial Cook Islands source. It has been used with care because Banks was an ally and friend of Moss and the dissident chief, Hakea Daniela. Fortuitously, many of Banks' interpretations and his analysis of Colonel Gudgeon's attitudes have been confirmed.

11 The Auckland Institute and Museum collection (MS 215) was catalogued by W. G. Coppell in Journal de Societe des Oceaniees, Vol. 36, No. 28 (Sept. 1972), pp. 285-304; but he was apparently unaware of the University of Auckland collection (A 33). I am indebted to Dr. Deryck Scarr for the location of this latter material.

by Gudgeon's own writings, both published and unpublished.\textsuperscript{13}

The second of the new sources is the Gudgeon material in the possession of his grandson, Mr. Elsdon Craig. This consists of:

1. A 'Diary/Scrapbook', a hand-written, bound manuscript containing material from diaries, letters, photographs and newspaper clippings. It is not a day-by-day account and the entries are terse and to the point. It covers the years 1898-1902, with the main emphasis on the last two years.

2. An 'Autobiography' - a large, leatherbound volume of typed papers composed after Gudgeon had left the Cook Islands. It contains an account of his family background, early life and later experiences in New Zealand, and information about the Cook Islands.\textsuperscript{14}

3. A small diary covering the years 1913 to 1919. This includes entries for Gudgeon's short stay in the Cook Islands as a relieving judge of the Land Court in 1913. There are other diaries in the possession of various members of the family to which I have not had access. However, the 'Autobiography' obviously draws upon these.

The third source is the Gudgeon Papers lodged in the Hocken Library in Dunedin. These consist of eight items recording Gudgeon's impression of events from 1898, when arrived in the islands. Most are typed on official notepaper. Three of the papers, written either towards the end of his term in 1909 or shortly afterwards, were largely devoted to an attack on the LMS.

One of the first writers to have access to these papers was led to the conclusion that 'Gudgeon's experiences in his earlier career were

\textsuperscript{13} In contrast to the correspondence with Moss, Banks' diaries, of which there are an incomplete set in the Cook Islands Library/Museum, are much less informative on political developments than on weather and shipping calls.

\textsuperscript{14} I have been allowed access only to some of this material - that relating to the Cook Islands. As Mr. Craig is currently writing a biography of his grandfather, he was understandably reluctant to supply material that might impinge on his own wider field of interest.
to be an invaluable asset in his relations with the natives of the Cook Islands'. I do not disagree with this view but it needs the obvious qualification that it takes into account only the furtherance of New Zealand objectives.

The chapter which surveys the background of Maori experience in New Zealand relies heavily on secondary sources. For material on Carroll, Ngata, Te Rangi Hiroa (Buck) and Pomare, I have drawn also on the Ramsden Papers in the Turnbull Library, Wellington. However, access to some of the more significant of these papers, notably the Buck-Ngata correspondence, was withheld because at the time they were being read by J. B. Condliffe. I have therefore made use of passages quoted in Condliffe's *Te Rangi Hiroa: The Life of Sir Peter Buck*, Christchurch, 1971.

Finally, mention must be made of a major set-back I experienced as a result of my change of residence to Papua New Guinea where the bulk of the thesis was written. This was the irretrievable loss of some notes and microfilm. One of the more obvious effects of this has been a reduction in the amount of newspaper material that I have had at my disposal in writing. This has not, however, seriously affected my interpretation.

Acknowledgements

The imperfections of this thesis are, of course, my own, but in the preparation of it I have incurred many debts which I would like to acknowledge.

For assistance with documentary research in New Zealand, I would like to thank Miss Judith Hornabrook, Miss Pauline Jenkins and other staff of the National Archives; Miss Julia Bergen of the Turnbull Library; Mr. J.E. Traue, then Deputy Librarian of the General Assembly Library; Miss S. Strehlen of the Hocken Library; Mr. A. Roth of the Auckland University Library; and the Librarian and staff of the Auckland Institute and Museum Library. I am grateful also to Mr. G. Colebrook for his generous help in the microfilming of documents.

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For invaluable discussion during my research in New Zealand I am indebted to: Mr. T.T. Ropiha (formerly Secretary of Maori Affairs), Mr. Alec McKay (formerly Assistant Secretary of Maori Affairs), Mrs. Runatiki Wright, Mrs. Maora Tamihana, Mrs. H. D. Bennett, Mr. M. Raurututti, Mr. H. Northeroof, Mr. M. Pomare, Mr. G. Butterworth and Judge J. Morgan (formerly of the Cook Islands Land Court). I have long been under an obligation to a number of these people for their gentle tutorship when I first set foot with some temerity into the world of things Maori. As many of my conclusions in the thesis have been based on a range of evidence and advice, they conflict in some respects with individual testimony. I would regret it exceedingly if any of them should feel this shows disregard for the role of Maori leaders in a larger or different context than is encompassed here.

I am especially grateful to Mr. Elsdon Craig for access to the papers of his grandfather, Lt. Colonel W. E. Gudgeon; and fortunate also to have talked with Miss Gladys and Miss Beryl Gudgeon about their memories of their father and of life in Rarotonga. They will, I know, have difficulty in appreciating some aspects of my interpretation of Col. Gudgeon's role in the Cook Islands. But I have been unable to escape certain conclusions that emerge from the large body of published and unpublished writings of a man who was outspoken and frank in the expression of his views. As Mr. Craig is writing a biography of his grandfather, only part of whose career is dealt with in this thesis, a more comprehensive portrait should soon be available.

In Australia I received assistance from Miss Suzanne Mourot of the Mitchell Library, and Mr. R. Langdon of the Pacific Manuscripts Bureau. For their encouragement I owe much to Professors Manning Clark and C. H. Williams, Drs. Fry, Gunson and Shirey and Mr. D.W.A. Baker, all of the Australian National University. In addition, I am appreciative of assistance given by Dr. A. D. Ward (La Trobe University) and, in the use of documents, Professor R.G. Crocombe (University of the South Pacific). I thank also Mrs. Vivienne Curran and others who typed the final version of the thesis.

I wish to express my particular gratitude to Dr. Deryck Scarr who supervised the thesis in the conditions made difficult by distance.
Lastly, to David, my special thanks for his warm encouragement and help in circumstances which conspired to give this thesis a difficult birth.

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N. J. Stone
# CONTENTS

Preface xii  
Glossary xiii  
Abbreviations xiv-xv  
Maps  

## PART 1

THE BACKGROUND OF MAORI EXPERIENCE IN NEW ZEALAND  

1 Two races, two 'nations'  
Sources of conflict 1  
James Carroll and the Young Maori Party 13  
The resumption of Maori protest 20  

## PART II

FROM PROTECTION TO POSSESSION  

2 Retreat from Autonomy 29  
Colonial imperialism 29  
Quest for security 34  
The Protectorate 38  

3 Engineering Annexation 49  
Gentleman's agreement 49  
Walter Edward Gudgeon 51  
Gudgeon's view of Cook Islands institutions 56  
Divisions and discord 60  
Final tactics 64  

4 The Annexation 79  
The parliamentary debate 79  
Surprise and subterfuge 81  
The principals 87  

## PART III

THE COOK ISLANDS EXPERIENCE  

5 The Colonial Framework 93  
The legislation 93  
Self-government or dependence 96  
Land: the key 100
GLOSSARY

Cook Islands

ariki a high chief, the titular head of a tribe*
aronga mana persons of power and authority; in Mangala, the collective name for the six district chiefs or kavana
atinga an offering, in precontact times usually a religious offering, but used today as a generic name for tribute*
au a local council having limited authority in certain parochial affairs*
mana power, authority, prestige
Maori the indigenous people of the Cook Islands
marae a sacred place which served both religious and social purposes
mataiapo a chief of a major lineage*
rangatira a lesser chief under an ariki or mataiapo*
ra'ui a customary prohibition on the use of resources or facilities*
tapers a district division, a defined area in a large district, usually headed by a mataiapo or ariki
ta'unga a priest, a person skilled in any special art
toa a warrior, a brave person

New Zealand

Maori the indigenous people of New Zealand
Pakeha a European
tohunga a priest, a person skilled in any special art

Note on Sources:
Meanings for Cook Islands Maori terms were derived from Stephen Savage, A Dictionary of the Maori Language of Rarotonga, Wellington, 1962. Other meanings, marked with an asterisk, are from R.G. Crocombe, Land Tenure in the Cook Islands, Melbourne, 1964.
ABBREVIATIONS

ALS  Miscellaneous Manuscripts, Turnbull Library, Wellington.
AJHR  Appendix to the Journals of the House of Representatives (New Zealand)
CO 209  Colonial Office Original Correspondence, New Zealand
CO 225  Colonial Office Original Correspondence, Western Pacific
FO 28  Foreign Office Original Correspondence, Pacific Islands
C 11  Governor's Papers, New Zealand National Archives
GP  Gudgeon Papers, Hocken Library
HSANZ  Historical Studies, Australia and New Zealand
I/T  Island Territories
JFS  The Journal of the Polynesian Society
LMS  London Missionary Society
MP  Moss Papers, Auckland Institute and Museum (MS 215)
     University of Auckland (A33)
NZH  The New Zealand Herald (Auckland)
NZJH  The New Zealand Journal of History
NZPD  New Zealand Parliamentary Debates
RP  Ramsden Papers, Turnbull Library, Wellington.
SSL  South Seas Letter of the London Missionary Society
SSR  South Seas Report of the London Missionary Society
SP  Seddon Papers, New Zealand National Archives
MAP I
THE COOK ISLANDS IN THE SOUTH PACIFIC
MAP II
THE COOK ISLANDS
PART 1

THE BACKGROUND OF MAORI EXPERIENCE IN

NEW ZEALAND
CHAPTER 1

Two races, two 'nations'

Sources of conflict

The colonizing process in New Zealand strayed from the classic patterns of imperialism only in the circumstances which shaped the beginnings and modified the end.

New Zealand was settled at a time when humanitarian and missionary influence sought to mitigate the predictable effects of settlement on the 'inoffensive' indigenous people. The British Government, undertaking the task of annexation and colonization with considerable reluctance, subsumed some of the ideals of the Aborigines Protection Society in Hobson's instructions and in the Treaty of Waitangi. This Treaty was the means by which Hobson was to obtain the 'free and intelligent consent' to cession by the tribes.¹ In return the chiefs and tribes were guaranteed the 'full, exclusive and undisturbed possession of their lands and estates, forests and fisheries' and such other 'properties' as it was their wish to retain. They were promised protection and 'all the rights and privileges of British subjects'.

With the assistance of reserved powers vested in the Governor as a means of safeguarding Maori rights, the humanitarians hoped, against all past evidence and with some misgiving, that a harmonious bi-racial society would result, with Maori's benefiting from participation in civilizing British institutions. These ideals foundered ultimately on the recognition by both races that they were contenders for the land. But this was not the only complicating factor. There were others stemming from the conflicting expectations of Maoris and humanitarians.

The treaty which appeared to guarantee Maori rights contained in the promise of citizenship and protection the means by which these rights would be abrogated. Maoris were promised the entire chieftanship of their lands but they were also to be subject to the obligations of citizenship and the

¹ See 'Instructions from the Secretary of State for War and Colonies to Captain Hobson ...., 14 Aug, 1839' in H. David McIntyre and W.J. Gardiner (eds.), Speeches and Documents on New Zealand History, Oxford, 1971, pp. 10-17.
rule of law.\(^2\) This was necessary not only for the obvious reason, but also because it was the basis of the policy of amalgamation which it was believed would weld the two societies into a single nation.\(^3\)

The concept of British sovereignty as it was expounded to the chiefs was not understood.\(^4\) The belief of some Maoris that the 'shadow rather than the substance of the land went to Queen Victoria'\(^5\) could also have applied to the legal and political implications of cession for there is little doubt that the chiefs believed they would retain their status and prestige - despite the real fears of those who opposed the Treaty. Many chiefs signed because they thought it was too late to reverse the trend and effect of European contact. They therefore hoped, with missionary assistance, to benefit from a benign authority. A leading northern chief, Tamate Waka Nene, summed up these hopes in his address to Hobson:

> Remain for us a father, a judge, a peace-maker. You must not allow us to become slaves. You must preserve our customs, and never permit our lands to be wrested from us... Stay then, our friend, our father, our Governor.\(^6\)

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2 Hobson was told that Maori habits and customs unacceptable and 'abhorrent' to the 'first principles of morality' were to be 'repressed by authority and ... by actual force' should persuasion and admonition prove ineffective. Normanby to Hobson, 15 Aug. 1939 in McIntyre and Gardiner, op.cit., pp. 17-18.

3 'Amalgamation' is a better term than assimilation since it more accurately reflects the aims of the humanitarians and late nineteenth century policy. Although in practice there was little distinction drawn between the terms there was never any serious official attempt to dispose of the 'Maori problem' by elimination or thorough-going assimilation as there was, for example, in Australia. See C.D.Rowley, 'Aborigines and other Australians', Aboriginal Affairs, Information Paper, No.6, June 1964.

4 See Eric Schlimmer, The World of the Maori, Wellington, 1966, pp.107-8: 'A Maori would be hard put, in 1840, to tell the difference between what he gave up (kawanatanga) sovereignty and retained (rangatiratanga) chiefship'.


It is difficult to know what the majority of chiefs were led to believe but it appears that they did not put too much store by the Treaty—partly because of their lack of clear understanding, partly because few of them could envisage the changes that would take place. It is possible that some may even have expected the support of the Governor in inter-tribal disputes. The symbolic importance the Treaty has attained for both races came later—when it also provided Maoris with a political and moral weapon, and a view of their rights against which settler and Government actions could be measured.

The attempt to accommodate Maoris and satisfy Europeans was bound to cause friction. Disillusionment quickly set in. The centre of trade and government shifted to Auckland, thus putting an end to the thriving trade of the far north. An unexpected inflow of settlers put pressure on Maoris and their land. The flood of mission converts faded away as missionaries and Christian institutions failed to meet Maori expectations in a new and unwelcome situation.\(^7\) The State had not the resources to protect Europeans nor to push hitherwards the rule of law. The power of the Crown to keep its guarantees to Maoris was eroded by its failure to involve Maori leaders in positions of real power; and by the development of a 'colonial polity'.

Moreover, the retention by the Governor of powers to 'protect' Maoris often worked to their disadvantage. Crown pre-emption was intended to preserve fair-dealing in land. But it was resented by Maoris as unduly restrictive and then broke down under settler pressure for the right to purchase directly from Maori owners.\(^6\) Grey declined to set up the Native Districts which were suggested in his Instructions and followed policies focussed on himself as Governor, not rooted in any continuing administrative machinery. His willingness to safeguard Maori interests was dependent on their accepting the rule of the State and selling land. The inevitable

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6 Sinclair, op.cit., p.82. The government bought large tracts of land for \(6d\) to 1/- an acre and sold it to settlers for from 10/- to £1 an acre. Grey, with his aversion to 'landlordism' and with a background in Ireland, lowered the price in 1853 in order that men with limited capital could buy it. The result was that speculators were assisted by the Government and subsidised by Maoris to buy large holdings.
process of constitutional development threatened the Maoris still further. The introduction of responsible Government in 1856 with an Assembly from which the Maoris — although a tax-paying majority — were excluded, marked a shift of emphasis to the main concern of the dominant minority — the success of settlement and the acquisition of land.\(^9\)

The situation was not greatly relieved by the Governor’s retention of control over native affairs. This had the additional disadvantage that, while it appeared to safeguard British guarantees to the Maoris, it precluded colonial politicians from accepting full responsibility for the policies they advocated. It was possible for the government to demand military aid in conflicts of which the Colonial Office disapproved. A great deal therefore depended on the insight of a particular Governor and the advice tendered him. Governor Browne’s insight was minimal. In accepting the suggestions of his settler advisers that he could break the power of the senior chiefs by accepting an offer of land at Waitara, he precipitated full-scale war in Taranaki in 1860-1. British regiments had come to be used against Maoris in support of the settler demand for land.\(^10\) During Grey’s second governorship, the kind of personal diplomacy (backed by his scholarship and familiarity with Maori culture) that had previously characterised his relationship with many of the leading chiefs was no longer possible. Maori leaders were by now concerned with more than courtesies; they had joined in the selection of a Maori King — the symbol of nationalism and separatist tendencies. Grey’s over-confidence and impatience with Maori separatism contributed substantially to the outbreak of war in the Waikato in 1863.\(^11\) In their conduct of native affairs, however, the

\(^9\) Maoris therefore deeply suspected government policies. See Minute by Premier William Fox to Grey, 8 Oct. 1861, in McIntyre and Gardiner, op.cit.,p.141.

\(^10\) Gore-Browne was aware of settler attitudes. He said, ‘The Europeans covet these lands and are determined to enter into possession of them....’ He also understood the reasons for Maori resistance to the sale of land: ‘...they feel that dominion and power or, as they term it, “substance” went from them with the territories they alienated, and they look with apprehension to the annihilation of their race’. J.B.Condliffe and W.T.G.Airey, A Short History of New Zealand, Christchurch, 1960, p.91-92. In the case of the Waitara purchase, Gore-Browne was badly advised and actually misinformed of the true situation.

Governors had never been entirely free. Pressure on them increased as the government became progressively more impatient of the reservation of this area of policy.\textsuperscript{12}

By 1848 Maoris had become sensible of, and resistant to, pressure on their land which also had an added economic value stemming from the provisioning trade.\textsuperscript{13} Of the pan-tribal movements, the King Movement was the most determined attempt to mobilise Maori opinion. A King was elected in 1858 and although tribal integrity and jealousies prevented widespread allegiance, feeling over the land was sufficient to rally an impressive degree of tribal support. The movement was nationalist in the sense that it served to assert on behalf of a people (not a class), Maori values, capabilities and identity. It was a determined reaction against settler attitudes and government policies. It sought to conserve chiefly mana authority over land and the promotion of customs and traditions necessary to withstand the disintegrating force of European pressure.\textsuperscript{14}

The reaction of European observers was mixed. Many attributed the rise of the movement to the failure of the government to provide adequately for the effective rule of the Maori at a time when contact between the races had eroded traditional methods of organization.\textsuperscript{15} 'Good government' was regarded as the answer to the Maori 'problem' and to Maori resistance to the sale of land. The assumption that European and Maori needs and interests were the same, that Maoris would readily become absorbed in the colonizing process, given firm guidance, hid the basic inconsistency of native policy (the protective, land buying and political exclusion of Maoris).

\textsuperscript{12} See an outline of the disadvantages of the system and proposals for ending it in Grey to Newcastle, 30 Nov. 1861, in McIntyre and Gardiner, op.cit., p.108-9.

\textsuperscript{13} See R.P. Hargreaves, 'Maori Flour Mills of the Auckland Province 1846-1860', JPS, Vol. 70, No.2 (June 1961); and 'Maori Flour Mills South of the Auckland Province (1847-1860)', ibid., Vol. 71, No.1 (March 1962). See also Sinclair, op.cit., p.86. Maoris owned most of the coastal shipping and exported produce to Australia.


\textsuperscript{15} Sinclair, A History of New Zealand, p. 122.
and the significance of Maori protest. While Grey continued to assert that 'Maoris and the Europeans are one tribe', Kingite Maoris asserted to the contrary 'we are strangers to one another... we are divided, you on one side, and we on the other'.

Land was the basis for disenchantment and confrontation but rigid attitudes and the ethnocentricity and blatant self-interest of European policies, together with unilateral demands for Maori submission to the 'rule of law', contributed to bitterness and conflict and the exchange of racial stereotypes. From the outset humanitarians and missionaries alike had over-estimated the pliability of the Maori. The 'pessimism' of the Colonial Office idealists, is exemplified by the views of Stephen, Under-Secretary of the Colonial Office, who believed that settler incursion was bound to upset the tenor, quality and direction of Maori life. But, because the settlers were bound to become the dominant race, the only recourse he saw for the Maori short of extinction was adaptation under the most advantageous conditions that could be divised.

The attempts to mitigate the process were from the beginning inadequate and confused. The onus was put on the Maoris to adapt but their capabilities for full participation in the emerging society were denied. At its best, the policy of amalgamation was an attempt to ensure that Maoris would not be left as isolated and dispersed remnants outside the mainstream of development as in Australia and America. In theory, if they were to be subject to the coercive power and obligations of the law, then at least they were not to be deprived of its benefits. But in practice Maoris were so deprived, despite their very real advances in selective adaptation.

16 'Grey's visit to the Waikato, 1861, in McIntyre and Gardiner, op.cit., pp. 140, 151.

17 The depth of settler contempt and frustration was expressed by a correspondent who wrote, 'are we, the sons of the greatest nation on earth, for ever to knuckle down to a parcel of savages'. Sinclair, *A History*..., p.121.


19 Ibid., p. 130.
Settlers and humanitarians alike could not appreciate or condone the uses to which European ideas and values were put, nor the pre-occupation of the chiefs and tribes with the maintenance of their own prestige and identity. When Europeans felt their own prestige and the power of the State threatened, the Kingite demand for self-government was an unacceptable and menacing development. Government and humanitarians alike were committed to the imposition of the law and the policy of amalgamation. This determination coincided with and assisted settler and government pressure on Maoris for more land.

The Maoris were defeated in the major series of pitched battles from 1863. The effects were several. In the long term, such was the nature of the 'defeat' that it became legendary. The Maori as a warrior later engendered some respect for the Maori as a people. But Maoris were steadily depossessed of much of their land. The confiscation of land to pay for the wars and to punish 'lawlessness' served to confirm and fortify previous Maori prophecies.

State machinery designed to separate Maoris peacefully from their lands was raised above the level of sharp practice only by its legal facade. It was also a curious attempt to give effect to the colonists' conviction that the possession of private property was an essential element in civilization as well as an electoral qualification. It was hoped that the 1862 land legislation which abolished crown pre-emption would destroy the communal

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20 There was prolonged resistance in some areas and cults such as Pai Marire (or the Hau Haus) appeared. See C.J.Parr, 'Before the Pai Marire', JPS, Vol. 76, No.1 (March 1971), pp.35-46. The Maori King moved into the isolation of the remote Whangapoto tribal lands, since known as the 'King Country'.

21 See, for example, a description of the defence of Orakau in Sinclair, A History..., p.137.

22 See Sorrenson, 'The Politics of Land', Pocock, op.cit., pp. 28-29. These confiscations by Statute were approved by the British Government. A good deal of the land confiscated was later returned or paid for.
aspects of Maori life and enable Maoris to improve their social and economic status. The 1865 Land Act (which set up the Land Court) and subsequent land legislation not only failed in this respect, but led to many of the problems of fragmentation and uneconomic holdings that were to become almost intractable later.

An individual title was an incentive neither to wealth nor industry; Maoris were not given assistance with skills or finance to farm the land which settlers criticised for its unproductiveness. Ironically, it was in the neutral or peaceful areas, where the demand for land was greatest, that the Land Court was most active and demoralization among Maoris most marked. Debt, drunkenness, poverty and depopulation so obviously followed the sale of land and the prolonged Court sittings that the normally unsympathetic Herald declared, 'The working of the Native Land Court has been a scandal... for many years past...'.

Those Maoris opposed to land sales felt themselves increasingly compelled to approach the Court to defend their titles. But resistance to settler encroachment and voluntary segregation as a means of coping with frustration or of preserving the 'essential self', such as Te Whiti

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23 William Fox maintained that '... the pernicious system of tribal right ... has, in the opinion of the Minister, been the principal cause of the slow progress and in some respects ... of the actual retrogression and decay of the race'. AJHR, 1864, E-2, p.20. The Native Minister, F.D. Bell, believed the legislation would be the means whereby Maoris would 'infallibly become wealthy men'. Sorrenson, 'Politics of Land', p.20.

24 Norman Smith, The Maori People and Us, Wellington, 1948, p.199, pointed out the difficulty a Maori experienced in getting a legal title to land he was entitled to use. See also Ruth F. Finney, 'Would-be Entrepreneurs? A study of Motivation in New Guinea', New Guinea Research Bulletin, No. 41, May 1971, p.62, for comments on motivation and opportunity in a situation that has some analogies.

adopted, were resisted. The Land Court was an instrument more dangerous to Maori society than the guns with which Maoris had slaughtered themselves before 1840 or the confrontation of the 1860's.

In 1667 the Maori Representation Act enabled four Maori members to be elected to Parliament on the basis of manhood suffrage – a voting privilege not granted to Europeans until 1679. While in some respects this was a triumph for liberal opinion it was the logical outcome of Parliament's attempt to control 'native policy'. Parliamentarians now argued that since Maoris were represented, laws affecting them could not be regarded as impositions, and that the Treaty guarantee assuring them rule by their own chiefs was irrelevant – as was that section of the Constitution Act empowering the Governor to set up special self-governing districts.

Electorally, chiefs were now equated with commoners and the four Maori members were overwhelmed in the European dominated House. At first the members understood little of the proceedings and when they did they were too few in number to act effectively in the interests of their constituents. In 1668, Sidney Taiwhanga (Northern Maori) who, along with James Carroll, spoke English, attempted to stonewall the Bill repealing John Ballance's extraordinarily far-sighted Native Land Administration Act of 1866. He said:

I will use whatever English I know to defend my people, because these are the Bills which have robbed them of their land ....
I have here a return which shows that members of both branches of the Legislature are interested in Maori land to the extent of some 2,500,000 acres ... This Bill may be forced through without my consent; but nevertheless, I shall continue to protest ... and as long as I can - as far as the law will let me - I will protest.26

26 See Dick Scott, The Parihaka Story, Auckland, 1954, and Bernard Gadd, 'The Teachings of Te Whiti O Rongomai, 1831–1907', JPS, Vo.75, No.4 (Dec. 1966), pp.445-57. W.E. Gudgeon and H. Northercroft, who were to be Resident Commissioners in the Cook Islands, were members of the military party under the Native Minister, Bryce, which arrested Te Whiti in 1881.


28 Sorronson, 'The Politics of Land', p.44. Ballance's Act prohibited private purchase and set up Boards, on which Maoris were in a majority, to administer the disposal of land. It was defeated after a change of Ministry. Not all Maoris agreed with such protective legislation, including James Carroll at the time.
Maori leaders were aware of the weakness of their position. At first they relied upon the goodwill of the British Government and upon the promises made in the Treaty of Waitangi as an avenue of redress. When this failed they turned to politics. The years following the wars have been depicted as a kind of Maori 'dark ages' in which apathy, demoralization and disease decimated the Maori population and eroded Maori institutions and confidence. While much of this is true, particularly in areas where land-selling proceeded apace, this interpretation overlooks the continued political activity of Maori leaders: the reassertion of the strong prophetic tradition, some considerable advances in Maori schooling, and selective co-operation with the Resident Magistrate and committee system of 1883. Similarly, undue emphasis upon the influence of the 'Young Maori Party' - a group of young, highly educated reformers which included Apirana Ngata, Te Rangi Hiroa (Peter Buck) and Maui Pomare - has tended to obscure two significant factors which contributed to the Maori 'renaissance' of the 1890's. These were a more favourable population balance and the continuation of dissident Maori leadership. As a result some favourable advances were made and a new generation of Maori politicians articulated their view of the Maori future.

The two main movements representing organised Maori opinion were the King Movement and the Kotahitanga or 'Unity' Movement, which established a Maori Parliament. The latter soon attracted considerable support. It was formally established in 1894 after intense activity in the 1880's. Widely representative of North Island tribes, it was led by literate and highly articulate chiefs many of whom had co-operated with the Government during and after the wars or who had remained neutral. In many such cases, however, reaction against European institutions had set in as a result of large-scale land alienation.

29 This interpretation is substantially that advanced by John Williams, op.cit. It gives less importance to the Young Maori Party as the major stimulus to the 'revitalization of the race'. See also W.D. Borrie, 'The Maori Population: A Microcosm of a New World', in J.D. Freeman and W.R. Geddes (eds.), Anthropology in the South Seas: Essays presented to H.O. Skinner, New Plymouth, 1959, p.250.
The Maori Parliament focussed its attention on the guarantees of the Treaty of Waitangi and on gaining a limited degree of self-government as a means of conserving Maori assets, customs and self-respect. While there was considerable ill-will towards Europeans and the Legislature, the latter was accepted by most as the avenue of redress and as a means of gaining legal recognition. However, early efforts in this regard failed. Other methods were adopted including a boycott of the Land Court. The threat of armed resistance to surveys in the Urewera and the subsequent dispute led the government to a reappraisal of its attitude to Maori demands for some form of district autonomy. As a result, the Urewera District Native Reserve Act was passed in 1896, establishing a special commission in lieu of the Land Court and committees to manage Maori blocks. It was intended to apply this committee principle to other tribes.

Despite this concession and some genuine rethinking, the limitation of these proposals were such as to deepen divisions within the Maori Parliament. Many leaders saw the similar legislation proposed in 1898 as yet another attempt at legal theft. By that year a 'pro-government' or moderate wing was becoming more inclined to pursue social rather than political goals and its supporters were not averse to accepting protective legislation that was not obviously against their best interests. They recognised the limitations of the proposed measures but they trusted the integrity of the government and expressed reservations about their own ability.

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30 For the apparent contradictions in this attitude, see Williams, op.cit., p.76.

31 For example, the Native Rights Bill 1874 introduced by Hone Heke (Northern Maori).

32 See Williams, op.cit., p. 94-95, 97.

33 ibid., p.101. One of these leaders said of Seddon, 'He has said he is the father of the Maori people ... and I do not believe that he would ever introduce a measure which would be detrimental to his Maori people'.
The 'separatists' or 'home-rule' chiefs distrusted the government. They asserted their faith in Maori capabilities, reacted to paternalist attitudes and pressed for a legal Maori Parliament. They felt that Europeans had demonstrated for over 40 years their incapacity to manage Maori matters justly. They trusted neither Seddon nor other European politicians, with land-hungry voters at their back, to pass measures favourable to the Maoris.

The moderates prevailed. With the encouragement of James Carroll, now a Minister in the Seddon Government, a Bill drafted by a special committee of the Maori Parliament led by Apirana Ngata and Hone Heke, was finally the basis of legislation which Seddon introduced in 1900. The Bills, the Maori Lands Administration Bill and the Maori Councils Bill, were a compromise between the demands of Maori leaders and the pressures exerted by Europeans who wanted more land for settlement. The Land Court was not abolished although the Councils were given some judicial powers. The significance of the Bills ultimately lay less in their content than in the immediate fact that Maori pressure had succeeded in forcing the government to recognize at least some of their minimum aspirations.

In the debate on the legislation, the Opposition attacked the Bills on such incompatible grounds as 'pondering to the Maori King', denying Maoris the 'right' of individualization, and keeping them in 'tutelage'. Reference was made to Maori 'landlordism', with the implication that no self-respecting British settler would accept a Maori lease or pay rent to a Maori. The Advances to Settlers Act of 1894 (which made cheap credit available to small farmers) had not been extended to Maoris, yet the undeveloped state of much Maori land was again advanced as a reason for its sale. Seddon defended the Bills with his customary logical acrobatics, including references to the legislation giving the Maoris 'something to occupy their attention' and to their powers being 'slight'. Carroll, with safety finally speaking his mind, stated:

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34 ibid., p. 104

35 It is admitted that this legislation would not have been possible without some sympathy with Maori complaints and aspirations.
Surely after all these years of bungling with regard to Native matters it is about time the question was left in the hands of the Natives themselves.  

James Carroll and the Young Maori Party.

Born in 1893, James Carroll (Timi Kara) was of mixed Irish-Maori parentage. Largely self-educated, he had a background of experience in the Native Department and as an interpreter in Parliament. He was elected as the member for Eastern Maori in 1887 but from 1893 represented a European seat. In 1892 he was the 'Member of the Executive Council representing the Maori Race' and later attained high office in the Liberal Cabinet.

Carroll was elected at a time of intense Maori activity in reaction to Government land policies and he attained ministerial office when there was much sympathy for Maori aspirations, but great pressure on Maori land for the realization of the small farmer policy of the Liberals. His task as spokesman for the race was therefore complicated by his responsibility to assist the implementation of Government policy. The latter role often appeared to predominate. Carroll's real attitudes are not always clear. It was obvious that his political career produced some tension of loyalties; it was not easy to chart a course which benefitted Maoris in what was still basically a hostile climate of opinion. He appeared to accept the amalgamationist policy but he may also have feared the consequences for Maoris of settler reaction. Thus, in 1891, he had recognized the justice and the necessity for Maoris to control their own affairs, but his support wavered as it became clear that government altruism stopped short of separatism. He was therefore unsympathetic to the separatist aims of the

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36 Williams, op.cit., pp. 110-11.
37 RP, MS 188, 'Personal Reminiscences - Sir James Carroll', contains Carroll's own account of the effect of this part of his life on his later career.
38 In 1893 Carroll contested the European constituency of Waiapu, holding this until 1908 when the seat disappeared with the revision of electoral boundaries. From 1908 to 1919 he represented Gisborne. He was Colonial Secretary in 1895, Commissioner of Stamp Duties in 1896 and from 1899 to 1912, Native Minister as well; from 1909 to 1911 he was Minister in charge of the Cook Islands. He was acting Premier in 1909 and 1911 and was awarded the K.G.M.G. in 1911. He was a member of the Legislative Council, 1921-1926.
Maori Parliament and to plans to replace the Land Court by a system of committees. In 1894 he said, 'The idea that Natives were capable of doing the work of the Native Land Court ... was an absurdity'. When the moderate section of the Maori Parliament emphasised ameliorative rather than separatist aims, he gave his support and guidance to legislation and a committee system that did not challenge established institutions.

Carroll's special contribution, to become known as the 'taihoa policy', was his attempt, based upon acceptance of the fact of a settler dominated government and society, to reconcile the conflicting interests of the two races and to make the process of change for Maoris as painless as possible. He tried to slow down the rate of land alienation and to remove the disabilities that prevented them from taking a fuller share in the social and economic life of the community. He appreciated the bases of social action and knew that Maoris needed the support of their own reference groups, which therefore had to retain some stability and identity if Maoris were to cope confidently with change. This was something that Maori protest leaders had long realized themselves but they also believed that Maori initiative and political pressure could not be excluded.

Carroll's ideas had a profound influence on the later Te Aute reformers whom he saw also as interpreters of the minds of two races, and whose views were possibly a welcome compensation for the limitations

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39 Williams, op.cit., p.91 (1894).

40 Ngata denied that Carroll ever used the word 'taihoa' or even enunciated such a philosophy. 'He was too wise to give it form. But for more than a generation he personified it in office and out. We his intimates and executives, were not told in so many words, but caught the spirit...'. Ngata added that Carroll stressed equality of the races but 'sensed only too keenly the danger from the presence of a young, vigorous and impatient Pakeha European population'. Ngata to Ramsdem, 28 March 1950, quoted in J.B.Condliffe, Te Rangi Hiroa: the Life of Sir Peter Buck, Christchurch, 1971, p.118. The spirit of Carroll's attitude, summed up by Ngata as 'masterly delay', was, when translated into 'taihoa', used as a term of approbrium by his detractors. See The Gisborne Times, 4 Aug. 1900, which regarded his policy and Maori requests for financial assistance as 'coddling the Maoris'.
imposed upon him by his political responsibility. Ngata, in particular, was to refine, add to and enunciate his ideal with particular singleness of mind.41

The resurgence of Maori political energy in the 1890's was achieved by traditional leaders. With Maori opinion divided and with Carroll's help, the Te Aute Reformers were able to strengthen and direct the pro-government faction. Their challenge to the old order was assisted by some disillusionment stemming from the stolid inertia of a British Government quite alive to Maori disabilities but rarely inclined to disallow legislation against Maori interests. After 1900 initiative passed to the reformers. They appeared to succeed in tethering Maori initiative to the legal and political framework of the predominant society. Those reformers who became politicians were important not only in the context of New Zealand Maori politics but also for their contribution to Cook Islands policies. In both contexts their view of the nation-making process was highly significant. Ngata's views, for instance, on the 'government' of Polynesians were to contribute to a national mythology that had its roots in idealism and the need, common to all nations, to rationalise, transform and find sustenance in shared experience.42

Ngata, Te Rangi Hirou, Pomerare and others were the products of missionary and humanitarian training which refined their talents and fitted them to become the interpreters of one race to another.43 Their

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41 See Condliffe, op.cit., pp.118-9 for Ngata's tribute to Carroll as a statesman and orator, and for his realization of the significance of the Young Maori Party. Ngata almost gives the impression that the 'masterly delay' was conceived so that the younger generation of politicians could mature. Of his own role Ngata said, 'If I may use so ambitious a parallel, I was to Carroll as Seddon to Ballance - the interpreter of his ideals, the builder who gave form and shape to what we graspingly strove to delineate'.

42 This will be discussed in the last chapter.

43 A high percentage of Te Aute achievers came of mixed parentage or ancestry. Among these were Te Rangi Hirou (Buck), Pomerare, F.A. Bennett (later to become Bishop of Aotearoa), Mi Pere and Mi Parata. There appears to be little evidence of any crisis of identity among them. The influence of the Headmaster, John Thornton, was strong. Buck acknowledged the debt the Young Maori Party owed him.
schooling impressed upon them high ideals of achievement and of religious and social service. Te Aute College produced men who later became doctors, lawyers, ministers of religion, scholars, teachers, administrators and politicians - some of these vocations combined in the same persons. Broadly speaking they accepted amalgamationist aims - initially in their most Eurocentric and paternalist form.

The genesis of their activity as a group began at Te Aute in the 1896 reformation of the earlier 'Association for the Amelioration of the Maori Race' (1891). A less elaborate plan for the uplifting of the spiritual and material condition of the race sent its members forth with missionary zeal to enlist the support of tribal elders in the transformation. Ngata was appointed organizing secretary in 1899. He travelled the country attending, among others, meetings of the Maori Parliament. In 1892 he had regarded the aims of the movement with impatience and condescension. He later realized that it provided a springboard for the reforms the Association favoured.

Of all the reformers Ngata was to become at once the most Maori-centred and to remain the most forceful exponent of the one-nation ideal. 44 The strength of his conviction and commitment lay not only in his early training but essentially in his East Coast tribal background within which, as a leader, he was both a traditionalist and an innovator. 45 He was deeply

44 See Condliffe, op.cit., p.95 for Ngata's statement to Ramsden and a description of his attitude to Europeans; his 'pro-Maori sentiment'; and his intense involvement with things and affairs Maori. Condliffe (p.118) sums up the personality difference between Ngata, Carroll and Duck thus: 'Carroll was a renowned bon viveur, Ngata an ascetic, and Te Rangi Hiroa stood between them'.

45 Ngata's attitudes were shaped by his position in the Ngati Porou tribe, whose land had not been subject to early exploitation and who had for the most part maintained a neutral stance during the wars of the 1860's. See G.V.Butterworth, 'The Politics of Adaptation: The Career of Sir Apirana Ngata, 1874-1928', unpublished M.A thesis, Victoria University of Wellington, 1969. Ngata was born in 1874. He graduated B.A. (1893) and LL.B. (see Williams, 'The Foundation of Apirana Ngata's Career, 1891-1909' in Pocock, op.cit., and Condliffe, op.cit., for different graduation dates.) Ngata was in Parliament from 1905 to 1943. He represented the Maori race in the Executive Council, 1909-12 and was Minister of Native Affairs and the Cook Islands, 1928-1934.
influenced by Carroll's views but, in his own right, he was also a passionate exponent of land development, believing that Maori well-being and advancement ultimately depended more on effective use of the land than upon political agitation. If Maoris could use the land and thereby retain it, other facets of Maori life could be maintained. It was to this end that Ngata placed great emphasis on the preservation of Maori tribal organization and leadership and the revival of traditional arts. Of intrinsic value, they were also a bulwark against the destruction of Maori identity and confidence. He disagreed with Pomare's estimation that Maoris would cease to be an identifiable race within two or three generations. He envisaged —

A race possessed of a strong national sentiment, conscious in all its parts of a distinct and separate existence, but none the less subject to law and government, loyal to the flag that protects it, giving its best, however little, to the welfare of the state, deriving its health and strength from the wisdom of the English.

In persuading Maori leaders to pursue practical aims Ngata acted upon the assumption that these would be attained more readily by cooperation with the government. He believed that Parliament would be enlightened enough to appreciate the justice of Maori claims and the benefit of conferring upon Maori farmers the assistance it afforded European settlers.

To Rangi Hiroa and Pomare were fellow tribesmen from Taranaki. Both studied medicine and worked as medical officers of health under the 1900 Maori Councils Act before becoming politicians - Te Rangi Hiroa for a brief period from 1909 to 1915 after the death of Hone Heke, and Pomare from 1911 to 1928. As Ngata had done, Te Rangi Hiroa modified his initial rather narrow views. His excessive piety wore off - he was early described as a 'prayerful young man' given to edifying spiritual comment. His strongly held views on absolute equality between the races was modified by wider acquaintance with Maori conditions and the relentlessness of European pressures. His views were further softened by his apprenticeship

46 Williams, 'The Foundation of Apirana Ngata's Career...', p. 60.
47 Condliffe, op.cit., p. 68.
in learning the classical Maori used on the marae and by his increasing respect for a material and cultural heritage that was threatened with extinction. Apart from his period as a politician and medical officer, his main influence on Maori and Cook Islands affairs flowed from the ideas he and Ngata exchanged during his years as an expatriate in Honolulu.

Pomare was perhaps the most determined and European-oriented of the modernisers. His medical training in America had removed him from the Te Aute Association's activities but his support of its reforms and his conception of the task ahead was similar to the early Association view. He said:

It meant the dissolution of time-honoured customs, the tearing down of ancestral habits and teachings, the alteration of Maori thought and idea; in fact a complete change in their socialistic, communistic and private life. It meant more; it meant gentle persuasion, the authority not of force, but of clear conviction of the evils of the present system of half-European and half-Maori ways of living, and the benefit of a better, more sanitary, higher and noble way of life.

He expressed the belief that the remaining Maori lands were better sold if idleness and fat rents prevented Maoris from becoming sober and industrious citizens. His views on the land question, education and the rate and uniformity of 'assimilation', together with his political affiliation to the conservative Reform Party, made him to some extent the

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48 He was to become an ethnologist of note after leaving New Zealand in 1927. He held appointments at Yale and was later Director of the Bernice P. Bishop Museum.


50 Williams, Politics of the New Zealand Maori, p. 155
odd man out and resulted in some bitterness and acrimony with the other Liberal reformers. No European could have expressed extreme assimilationist aims more succinctly than Pomare, but as a health officer, he appears to have concluded that the problems of reviving a seemingly doomed race could be overcome only by drastic measures. His early views lacked subtlety and flexibility but as land sales proceeded many of his arguments came to seem, by a process of attrition, more valid and to have deserved Ngata's own dictum that in some situations 'calculated blindness' was the best policy. The later rise of the Ratana movement was to show that landless and tribally disoriented Maoris had been largely untouched by land and cultural development schemes. In the meantime, from 1911 Pomare's ideas were reinforced by a Reform Party dedicated to freehold title, European civilization - of the small farmer kind - and impatience with any special legal and social provisions for Maoris.

51 This was particularly so over the 1913 Native Land Amendment Act as it affected the Taranaki leases which he was elected to Parliament to protect. Maori members and other Liberals accused Pomare of 'betraying' his people. Both Ngata and Te Rangi Hiroa disliked the leader of the Reform Party, William Massey, for his general attitudes in which there was evidence of racism; for his attack on the member for Western Maori in 1911 and on Ngata's appointment to Cabinet without portfolio in 1909. See Condliffe, op.cit., p.120. The differences between the Maori members and Massey were evident in the press coverage of the 1911 election campaigns. See for example, The Evening Star (Dunedin), 5 July 1911 for Carroll's references to Massey's 'offensive insinuations against the Maoris'.

52 Pomare said 'There were only 43,000 of my people left when I returned to New Zealand in 1899. There are now 63,000 in 1930.' RP, MS 188, 'Sir Maui Pomare: The Apostle of Health'. Buck's 1906 health report contains many of the sentiments and attitudes that Pomare held. For another view of Pomare, see J.F.Cody Man of Two Worlds: Sir Maui Pomare, Wellington, 1953. Pomare had an earthy sense of humour which disconcerted the more proper Ngata. An informant told me of an instance when Princess Te Puea appealed to Pomare for help in dealing with an over-zealous health inspector who objected to the display of drying shark and the stench of 'rotten corn'. Pomare extolled the nutritional value of the shark meat then, turning to the corn, asked the inspector whether he was married. 'Have a spoonful', said Pomare who then inquired whether he had children. The answer was 'No', whereupon Pomare promptly forced another helping upon him by way of illustrating its additional qualities.
The resumption of Maori protest

Maori protest resumed after 1905 because the 1900 land legislation failed to satisfy Maori expectations or European demands. Government purchase of land ceased in the expectation that the Land Councils, with a theoretical Maori majority, would make land available for leasing. This did not come about. The majority of Maoris were reluctant to submit the administration of their lands to the councils. For this reason also, provisions designed to promote local administration and Maori farming were not effective. The desperate attempts of the government, and of Carroll and Ngata to make the Act work and to stave off mounting criticism by the Opposition and the pressure for freehold title, were not successful. By 1905 the government had to admit the failure of the legislation to achieve the aims intended.

The Maoris objected to the legislation because of suspicion of the European chaired Councils. They wanted Maori control. They also wanted individual titles, in the belief that Parliament would be less likely to 'tamper' with them, and direct negotiations with buyers that would bring fair prices with which to finance land development. This change of opinion stemmed not from a concession to amalgamationist policy, but from dissatisfaction with protective machinery which they did not control and from the fear that Parliament would resort to confiscation to get what it wanted.53 By this time however, the government and the Maori members of Parliament were averse to such freedom of action for the reason, as Seddon pointed out, that Maoris had earlier suffered badly in negotiation with Europeans. Carroll agreed with him.

The Opposition attacked the legislation on the grounds that it failed to release land and therefore retarded settlement. It also allowed Maoris to evade their share of taxation and rating and prevented them from developing initiative and industry. The uncultivated state of much Maori land, together with the deleterious effects of idle Maori 'landlordism' was used as an argument in the press and Parliament to promote the call for freehold tenure.

53 Williams, Politics of the New Zealand Maori, p. 120.
The resulting Maori Land Settlement Act of 1905 was a retreat from the 'self-government' principles claimed for the 1900 legislation and an acknowledgement that Carroll's 'taiaoa policy' was becoming an expensive political luxury. Land Boards were set up with European majorities. Maori control over land was made even more tenuous by the provision for its compulsory submission to the Boards and by the authority conferred upon them to resume land regarded as unsuitable for Maori occupation or infested with noxious weeds. This was dangerously like the confiscation Maoris had feared. Carroll attempted to avert the resumption of extensive land purchase by appointing a Land Commission composed of Sir Robert Stout and Ngata but this was not successful. The only real benefits that Maoris received stemmed from Ngata's efforts in 1906 and 1908 to gain some financial assistance for land development.

The Maori Councils Act 1900 was the better conceived piece of legislation and did not pose the challenge to European interests that the Maori Land Administration Act did. The later demise of the councils was less the result of inherent defects than of excessive paternalism and administrative short sightedness in reaction to the desire of Maoris for greater authority.

At first Maoris took up the work of the councils with enthusiasm. With the assistance of Ngata as organizing inspector, the health inspectors Pomare and Buck, and sanitation inspectors, some significant advances were made to the quality of Maori life. In addition, there was a genuine effort on the part of the government to investigate and act upon a variety of complaints. In many cases, however, the councils exceeded their limited jurisdiction and there was a widespread desire for stronger powers. The

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54 ibid., p. 127-8.

55 Public response to this Commission was at variance with Carroll's own expectations. The New Zealand Times (editorial), 4 Jan. 1907, welcomed the Commission on the grounds that it safeguarded Maori rights, and stated that with 'absolute justice to the Maori' an amount of land would be made available that would make the existing Crown land appear 'trifling'. Sir Joseph Ward (Premier) was reported as justifying the Commission and the land legislation on the ground that it would enable settlers to get on to the land but not threaten freehold title, ibid., 28 Jan 1907.
government countered this by encouraging the councils in conference to
draft their own by-laws. Those accepted were submitted by Ngata so that,
in effect, the councils were committed to the implementation of Young
Maori Party policies. Maori exuberance continued. Neither Carroll nor
Ngata agreed with a trend which smacked of autonomy and went beyond
their conception of Maori development. In 1906, to limit the growth of
separate administrations, Carroll agreed to the Health Department taking
over responsibility for Maori Health. This was followed by economy
measures, including retrenchment of staff, before the 1911 election. The
withdrawal of administrative backing, the administrative and financial
difficulties already experienced by the superintendent, Gilbert Mair,
and Carroll's attempt to curb Maori ambition, all served to undermine
support for the councils. Only at the committee level in villages did
the scheme continue despite attempts in 1909 to revitalise it.

The result of these developments - more particularly over land -
was the resurgence of old and new forms of reaction similar in some respects
to those of the 1890's but more diverse and less committed to separatist
goals. In 1905 Kohere attempted to revive the Maori Parliament and its
emphasis on Treaty guarantees. The Kingites split the Kotahitanga
movement by their demands but gained for themselves a degree of government
recognition once much of the land over which the King had exercised his
mana was opened to settlement.

Other movements stressed neither autonomy nor the Treaty. C.R.Parata
(Southern Maori) helped found the Maori Association which aimed at the
removal of differences in treatment between Maori and European. Parata

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56 See Williams, Politics of the New Zealand Maori, p. 135. Kohere
was assisted by a group of Europeans who founded the Maori Rights
Conservation Association - similar in many ways to the Native Land
Laws Reform League of 1893. The Treaty of Waitangi had never been
ratified by the British Parliament and the British Government was
no longer willing to intervene in New Zealand's internal affairs.
See, however, Lord Stanley's despatch to Grey, 13 June 1845, "... I
repudiate with the utmost possible earnestness the doctrine
maintained by some, that the treaties which we have entered into
with these people are to be considered as a mere blind to amuse and
deceive ignorant savages". McIntyre and Gardiner, op.cit., p. 120.

57 Williams, Politics of the New Zealand Maori, p. 135.
supported individualization of title as against communal holdings, communal effort and shared rewards. Similarly the Maori Union, in which Pomare was influential, reflected these and other ameliorative aims, including sobriety and hard work. The Union's attempt to secure the return of certain Taranaki leases on their expiry led it to contest the Western Maori seat. Its candidate, Maui Pomare, was elected in 1911.

There were also other manifestations of discontent and attempts at selective adaptation that met Maori needs. In these the influence of the tohunga was important. The rise of Rua - prophet, political leader and reformer - in the Urewera in 1906 raised a storm of protest from both Europeans and Maori reformers alike. The government's raid on Rua's stronghold in 1916 leads one to suspect that, as in the case of the prophet To whiti, politics alone had always seemed less dangerous than the combination of politics and prophecy.

Maori organizations and parliamentarians were not successful in resisting the passage of land legislation in 1909 and 1913 which attested to the strength of the settler lobby and dashed Maori hopes of 'fair' legislation or of retaining control over their land.

The Maori Parliament had been abolished in 1902 because Ngata had managed to persuade adherents that its 'aspirations and objects had been obtained', and presumably because he felt that its continued existence posed an alternative to reliance on the national Parliament. Ngata's affirmation that the future of the Maori lay in developing land as quickly as possible, in order both to retain it and as a basis of prosperity, together with his emphasis on social and legislative means of advancement, had several serious drawbacks. Firstly, there were few areas with land reserves which held the promise of development on the scale that Ngata and other Ngati-Porou leaders were fostering on the East Coast. Secondly, the 1906 legislation, for example, constituted a threat to his whole concept which the under-represented Maoris could not counter and which left them, now without even their Parliament, virtually defenceless. Two questions therefore remain. How accurate was the reformers' interpretation of the 'political realities' of the European-dominated situation into which they were guiding the Maoris? And to what extent were the instincts and

58 ibid., p. 117.
inclination of the older 'radicals' in tune with the needs, firstly, of those who wished to retain land and, secondly, of the landless, marginally-participating majority of Maoris?

For Ngata, the 'political realities' not only concerned the futility of appeal to Britain and the existence, outside the obvious centre of power, of separatist movements which might forfeit the goodwill or provoke the retaliation of the state; they also concerned land and methods of keeping it. Ngata believed it essential that Maori pressure should be exerted inside Parliament - for reasons of legitimacy and because Maoris had a right to the resources of the state and could by participation rightfully expect it. For the viability of his point of view much therefore depended on the goodwill of Parliament and the strategy and policies put forward by Maori politicians.

Since the late 1840's the main issue for Maoris had been the land but, as a result of other deprivations and slights, there was a desire to regulate their own affairs for this reason also. In 1900 the two issues were separated. The land legislation failed signally to accommodate the needs of the two races, a failure that coincided with Ngata's election to Parliament in 1905. Though Carroll made the utmost use of what goodwill existed among the Liberals, his approach became politically inexpedient as pressure upon the land again became a major political issue. To some extent, therefore, the policy of land development upon which both men had placed such emphasis was bankrupt. Under the Liberals a further 3½ million acres of land were sold. Land policy remained a cause for protest and confirmed the assumptions of anti-government leaders. Insofar as Ngata was the spokesman for a strong tribe with ample land, and the leadership and incentive to develop it; and in that he was able, marginally under the Liberals and more substantially after 1928, to gain official assistance for Maori land development, the results justified his emphasis. But the further loss of land elsewhere in the meantime made this later success basically an East Coast phenomenon.59

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59 Condliffe (op.cit., p.106) views Ngata's achievement as a remarkable one with 'few if any parallels in the history of colonial peoples' but admits that it came too late for the great majority of Maoris. Not only had more land gone but the population had increased. There were an estimated 40,000 Maoris in 1890, 75,000 in 1935. In 1891, Maoris owned some 11 million acres of the original 66 million; in 1935 only 4 million were left and of this much was not arable and a good deal was leased to Europeans. See also Butterworth op.cit., chs, IV-VI.
In the long term, the one-nation concept benefitted Maoris when government attitudes became more relaxed. It might therefore be argued that the reformers instincts were sound. They also appeared to have succeeded in their aim to the extent that Maori protest movements after 1905 were no longer able to recapture the scope or vigour of their predecessors and appeared to accept government as the vehicle for Maori advancement. But this occurred at considerable cost to many Maoris, and opportunities for a diversity of approach were lost when they needed solidarity and confidence, especially from 1912.

The weakness of the taiao philosophy and the reformers' emphasis on self-healing measures was that its practitioners failed to accommodate the political aspirations and energy of the people in a situation where their views were inadequately represented at both legislative and informal levels. Leadership was concentrated on too few people. Many leaders had wished to retain the Maori Parliament as a forum for inter-tribal discussion and as a kind of insurance policy. The value of national discussion had been recognized in the provision for conferences of the councils, but these were seldom held and the political concerns always near the surface were played down. Thus the conferences did not provide a substitute for the Maori Parliament, nor did the councils provide the satisfying degree of control over local affairs that Maoris had expected.

However, the situation was undoubtedly a difficult one for the Maori leaders. The action of Carroll and Ngata in impeding the growth of powers for the councils destroyed the possibility of Maori cohesion and Maori-directed policies within a government-sponsored framework. And, whereas Maori protesters had recognized by their actions that conflict was part of the social and political process, the reformers seemed to regard it with undue apprehension as a destructive force. Ngata's emphasis on decentralised tribal activity also made him distrustful of pan-tribal associations. On the other hand, they may well also have feared the ultimate outcome of strongly separatist and radical Maori organizations. The experience of Te Whiti's passive resistance movement in Taranaki in 1881, and of the threat of armed resistance in the Urewera in 1895, showed clearly enough that a policy of

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60 Compare Condliffe, op.cit., p.107: 'For the first time there arose leaders who could speak for all the people'.
confrontation could lead to ruthless suppression. But perhaps separatism and informal pressure groups were less of a problem than the reformers thought. As politicians they appeared to have overlooked the political possibilities of such organized backing, especially in extracting concessions to promote social and economic advancement for Maoris.61

This last point is particularly relevant to the fact that, once Maoris had been brought within the orbit of Parliament, the leaders faced difficulties they had not foreseen. There was neither sufficient goodwill nor far-sightedness among Liberals or in Parliament to concede the massive assistance and support that was a necessary concomitant of amalgamationist policy. The four Maori members could not by themselves gain concessions on such a scale. Ngata came to regard his early attempts at gaining assistance for Maoris as trifling. Carroll admitted that the abolition of the Maori seats would result in a better deal for Maoris in that Parliamentarians would be obliged to heed Maori electors whereas, under the existing system, they could ignore them. By the time Ngata had entered Parliament the Liberal clan had gone and after Seddon's death in 1906 the party leadership deteriorated. Seddon's courting of the small farmer had resulted in an increasing demand for freehold title and, consequently, pressure on Maori leases. The advent of the Reform party to power in 1912 meant a long delay before many of Ngata's plans could be put into effect. Even then, the rise of the Ratana movement from 1918 was already pointing to alternatives for the people that contrasted sharply with Ngata's vision. With its roots in

61 It is true, as Ngata pointed out, that it was not possible to get Maoris all they wanted - though the reformers did not recognize that they themselves could have been a limiting factor. Ngata probably feared also that organized Maori opinion might detract from his personal support and aims, but he appeared to overlook its social as well as political possibilities. He found the King Movement, for example, a useful point of reference and mobilization in favour of land, health and other reforms. A degree of separate or self-development was to receive some official recognition again in 1945, although the top was not put on the system of committees and district councils that resulted until 1961 - for the same reason that the 1900 legislation had not provided for it. Politicians still feared overt Maori pressure. Though there are inherent weaknesses in the government-sponsored legislation, the national Maori Council established in 1961 has disproved earlier fears. It has been consulted on, and has criticised, legislation and other matters but, on the whole, it has seemed to reflect conservative (and often elitist) opinion, represented as in 1900 by socially mobile and integrated achievers.
the strong prophetic traditions and the unfulfilled needs of the people, the movement stressed unity, a separate and clear identity for the race, a return to emphasis on Treaty guarantees, and a disregard for those Maori traditions that appeared to foster tribal animosity. Batana was the champion of the landless, the common people, 'the blacksmiths, the shoemakers and the carpenters'. From 1932, the movement captured the Maori seats one by one.

The negative results of the Maori-Liberal partnership and the rise of Maori discontent seemed to show that the reformers' assessment of Parliament and European goodwill was much in advance of the views of a large section of the Maori people. Though the personal achievements of the reformers appeared to be proof of their claims, their commitment to an unduly narrow amalgamationist approach and their paternalism, which appeared to reinforce Government attitudes, offended more forthright Maoris. The tendency of Europeans to use the law in their own interests was obvious to many Maoris. Also apparent was the marginal participation of the bulk of Maoris in the political and economic life of the country, and the denial of their desire to have more comprehensive control over their affairs. In effect, therefore, the cloak of European government and law could not disguise the fact that the interests of the two races were only slightly less divergent than they had been in 1860, when the Kingites had pointed this out to Grey.

Over the years Maoris had reacted against the breaking of guarantees made to them in the Treaty of Waitangi, against the assault on chiefly authority and their system of land tenure, and against the subordination of their political and economic interests. Nonetheless, the reformers believed that the course they had adopted would lift the race from its dangerously low ebb and ultimately provide unique opportunities for advancement. This belief

63 Ngata was accused of accepting the 'crumbs which fall from the rich man's table' instead of maintaining an independent position. Williams, 'Apirana Ngata's Career, 1891-1909', p. 89.
was not shattered by setbacks to their policies after 1900. They were willing to work slowly to modify the policy of amalgamation while at the same time changing and modernising Maori opinion to prevent reliance on degenerate cultural traditions. Their confidence in the over-all benefits for Maoris within the framework of British institutions and New Zealand society increased as they compared the position of the race with the lot of less fortunate peoples elsewhere.

It was this kind of thinking that led a number of Maori leaders to add their weight to the argument, long used by the country's white political leaders to support territorial expansion in the Pacific, that New Zealand was specially fitted to govern Polynesians. They were later to use the Cook Islands experience of New Zealand rule to support this assertion.
PART 11

FROM PROTECTION TO POSSESSION
CHAPTER 2

Retreat from Autonomy

Colonial Imperialism

The annexation of Cook Islands to New Zealand in 1901 was the culmination of ambitious schemes for Pacific expansion stretching back over half a century. The returns had been disappointing in the extreme. The imperialist net woven from the dreams of Grey and successive politicians, and thrown out over Fiji, Samoa, Tonga, the New Hebrides, the Society Islands and Rapa, when drawn in, had ensnared only the Kermadec, Cook and Niue Islands - small fish for the appetites of colonial politicians anxious to preside over a panoply of islands in a British Polynesian Federation.

New Zealand's religious, commercial and political interests in the Pacific combined early to produce an outward-looking policy. Bishop George Augustus Selwyn's Melanesian Mission was but one of the mission enterprises based on New Zealand. While colonial businessmen were assessing the economic potential of the islands, the newly self-governing colony felt the need for strategic security and the promotion of British influence in the Pacific. Almost before migrants to the colony had begun to consolidate the long process of wrenching a living from the forested soil and asserting themselves over its Maori inhabitants, a debt-ridden New Zealand had embarked upon an expansionist policy in the Pacific. In this, self-interest was combined with a strong belief in a British civilizing mission.

One of the arguments used to support New Zealand's case for her Pacific ambitions was a racial one based on the homogeneity of the Polynesian peoples of the Pacific and their kinship with the New Zealand Maori. From 1845 to 1854, Governor Grey had urged the importance of consolidating and extending British hegemony over the islands and had sought, through colonial-based educational institutions and personal diplomacy, to strengthen mission influence and direct the loyalty of island leaders towards Britain and New Zealand. He regarded education as the key to the extension of British 'civilization'; and pan-Polynesian solidarity as the answer both to French interference and the...
The racial homogeneity argument was bolstered after 1870 by the contention that New Zealand's experience and 'special aptitude' in governing one section of the Polynesian race fitted her to undertake the administration of others. Proponents of this idea supported it by reference to the improved relations between Maoris and settlers after the wars, the achievement of educational and political advances for Maoris, and the evolution of a 'native policy' in which New Zealanders could 'feel some pride'.

After Grey, the most comprehensive advocacy of a British 'colonizing or civilizing' policy designed to promote British prestige and New Zealand interest was advanced by Premier Julius Vogel - optimist and financial adventurer - in a series of memoranda that embraced the Pacific. In his schemes to acquire not only Samoa and Fiji, but all the unappropriated islands, much of the work and control of projected British hegemony was to be delegated to the Australasian colonies on the assumption that local attempts to maintain peaceful relations with 'uncivilized' races would be more successful than those directed from a distance and without the necessary experience. Vogel's proposals for a 'New Zealand and Polynesian Company', backed by the colonial government, owed much to the East India Company idea and obviously sought to gain by trade what New Zealand might not get through diplomacy alone. In his

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1 In the event of confrontation with France, Grey suggested New Zealand as a base. He believed that a force of Maoris could not only take Tahiti but that they would be assisted by the Tahitians themselves. Angus Ross, 'Maori and Polynesian: Race and Politics. The racial argument in support of New Zealand's interests in Polynesia', in J.D. Freeman and W.R. Geddes (eds.), Anthropology in the South Seas: Essays presented to H.D. Skinner, New Plymouth, 1959, pp.223-224. See also Angus Ross, New Zealand Aspirations in the Pacific in the Nineteenth Century, Oxford, 1964, Ch.IV.

2 See the excerpt, cited by Ross, 'Maori and Polynesian' p.225 from the 1872 report of William Seed, Secretary of the New Zealand Customs Department. Seed advocated the desirability of New Zealand administration of Samoa and outlined the advantages arising from a 'knowledge of the character and prejudices of the Polynesian Natives'. See also H.B. Sterndale's formulation of the racial affinity argument and his advancement of this as a providential reason for colonization of the Pacific by the 'British occupants of New Zealand' (ibid., p.226).

3 Sir James Hight, quoted in ibid., p.224. See also Governor Sir James Fergusson's testimonial to the now 'prudent and successful management of Native affairs' (ibid., p.226).
opinion, the ultimate result of the Company's non-commercial aims would be the 'establishment of the Polynesian Islands as one Dominion, with New Zealand as the centre of Government'. The scheme was dropped, but the idea of federation and an exclusive sphere of influence was to be a continuing theme. Vogel also developed the racial argument in support of the 'one race, one government' idea by declaring that Maoris themselves would participate in establishing 'dominion from New Zealand throughout the whole islands of the Pacific'.

Colonial politicians continued to press this happy coincidence of interest at a time when Britain was free-trade and anti-colony. They did so in the belief that no nation with any sense would hesitate to outlay the modest capital and effort that would ensure it a Pacific-wide dominion administered by a colony especially equipped by affinity and experience for the task. By the 1870's and 1880's, however, other nations had seen the potential that Britain had been to 'obtuse' to see and too preoccupied with European diplomacy and African affairs to give attention to. The expansion of great power hegemony over many of the island groups sounded an alarm within the colonial consciousness which it was not slow to press upon the British Government. Through such legislation as Grey's Confederation and Annexation Act of 1863, New Zealand herself attempted to take some initiative by inviting the representations of island leaders for British protection or federation with New Zealand.

The miseries of the great depression of the 1880's preoccupied New Zealand settlers and politicians but it did not altogether dim the prospects for Pacific trade and expansion. The resulting widespread desire for radical change swept away the political domination of the 'conservative oligarchy'.

4 Ajhr, 1874, A-3, 'Papers relating to the South Seas, their Natural Products, Trade Resources', Wellington, 1874. Memorandum No.4, 'The Polynesian Islands'; No.5, 'Suggested Action of New Zealand in relation to Polynesia'; No.6, 'The Fiji Islands'; No.7, 'Arrangements New Zealand Might Make with the Chiefs of the Navigator Group'. For the background to H.D. Sterndale's reports, upon which Vogel's assessment of the islands was partly based, see Pamby, No.15 (Oct. 1869), pp.6-9 for reference to the almost unknown history of the firm Henderson and MacFarlane.

and brought to power in 1690 the first mass party - the Liberals. Within a few years far-reaching legislation had included such measures as female suffrage, a reformed system of landholding, liberalised advances to settlers, a system of industrial conciliation and arbitration and old-age pensions. Few of the benefits of this legislative efflorescence seeped through to the Maori people - even the old-age pension was granted to them 'contrary to Seddon's wishes'.

The building of a new and better society within New Zealand had, as its counterpart under the Liberals, the culmination of a national assertiveness, evident in increasing resistance to Imperial constitutional sanctions, and a more urgent policy of Pacific expansion. The most determined exponent of such policies was Richard John Seddon who succeeded John Ballance as Premier in 1893 after a quick and decisive struggle for leadership. Seddon was an exceedingly astute politician. By 1899 the rivals to his eminence had either been 'promoted' or had disappeared. He possessed a personal magnetism and heartiness of approach (described by Beatrice Webb as 'vulgar') to which the 'ordinary' person responded. The negative aspects of his expansiveness were an easily accommodated conscience and that kind of political housekeeping that has been described as an 'intolerable pettiness'.

The roots of Liberal expansionist policy lay, on the one hand, in settler demands for constitutional autonomy and, on the other, in a continuation of previous attitudes, especially an entrenched belief in the special mission to civilize and govern. Seddon's answer to the problem of obtaining for New Zealand some influence in British foreign policy was a plan for imperial federation and colonial gestures indicating loyal support.

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though there was not much of the 'uncivilized world' left in the Pacific and despite growing political opposition to an annexationist policy, Seddon advanced the New Zealand case with a force and energy that set him apart from previous Premiers and among colonial leaders elsewhere.

The case of Samoa illustrates Seddon's special brand of imperialism and his conviction that it was 'clearly' the destiny of New Zealand to play a leading role in Polynesia'. Angered by the 1899 settlement in favour of Germany, he declared the time was now opportune for a decision on the remaining islands over which Britain had some influence so as to prevent the lowering of British prestige there and the 'betrayal' of other island peoples. A few months later he told the Colonial Office:

The Convention made between Great Britain and Germany regarding the Navigator Group shows that the predictions uttered about thirty years ago by the New Zealand Ministry have been verified... I therefore venture to suggest... that the boundaries of New Zealand should be extended so as to include the Cook Group, the Fiji, the Friendly and the Society Islands, or such of them as might be included... with advantage and without causing complications.

As hopes of acquiring the larger island groups faded, New Zealand was the more determined to gain at least some of the smaller pickings left. But the

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3 Thus, in offering New Zealand assistance in Samoa in 1898 and in sending troops to South Africa, Seddon was demonstrating a willingness to support the 'burdens' of Empire in the hope of earning the right to consultation. The South African issue was productive of the kind of jingoism and patriotism evidenced in a section of the Premier's Budget speech headed 'Our Boys at the Front': 'The voluntary equipping of corps... demonstrated a patriotism, solid, sincere, and unparalleled in the history of our great Empire... New Zealand Hill in South Africa is a beacon that forever marks what New Zealanders can do and dare'. AJIR, 1900, B-6, p. xix.

9 NZPP (22 June 1894) quoted in Ross, New Zealand Aspirations, p. 248.

10 CO 209/259, Lt. Gov. to CO, 12 Nov. 1899 (cable) based on Seddon to Gov., 12 Nov. 1899. The Colonial Office comment on this cable recognized that 'This message is sent more in sorrow than in anger, as no doubt New Zealand looked forward to getting both Tanga and Samoa, and their disappointment is legitimate'.

11 AJIR, 1901, A-1, p.6, Gov. to CO., 25 April 1900 enclosing Seddon to Gov., 16 April 1900. Seddon was acting on current rumours of dissatisfaction in the Society Islands.
years of frustration had impressed upon a minority of politicians a more
detached view of New Zealand's importance and the ease with which she could
be snubbed by a vacillating and penny-pinching British Government. They
were therefore inclined to view the acquisition of the Cook Islands with as
much cynicism as they had greeted the gift of the Kermadecs.12

Quest for Security

The circumstances which brought the Cook Islands within the New Zealand
orbit were similar to those of other islands during the carving up of the
Pacific from 1870 - a process influenced or advanced by expatiate nationals.
In the case of the Cook Islands, LMS influence induced loyalty to Britain;
trade provided links with both New Zealand and Tahiti. Though the problem
of internal control, arising from the presence of foreigners, was a very
real contributing factor in leading the ariki and missionaries reluctantly
to seek outside assistance, fear of the French was the single most important
factor in weakening the aggressive independence of the islanders and in
strengthening the territorial ambitions of New Zealand.

In a study of Cook Islands reaction it is almost beside the point
whether the French Government did, or did not, have designs upon the islands.
It is sufficient that fears and rumours of French aggression led both ariki
and missionaries gradually to forego the ideal of excluding all foreigners
and maintaining complete autonomy for the islands. The British Government
took no action on petitions for assistance and protection forwarded as early
as 1844 and again in 1865.13 Only when French diplomacy was appearing to
succeed elsewhere in the Pacific was a later petition, strongly supported by

12 When the Kermadec Islands were annexed to New Zealand in 1866, a members
of the Legislative Council remarked '... the mere fact that the Imperial
Government are prepared to allow us to annex these islands is convincing
proof that these islands are good for nothing'. NZPD, (8 June 1866),
quoted in Ross, New Zealand Aspirations, p. 232.

13 SSL, Chiefs of Rarotonga to LMS, 11 July 1844, asking for the assistance
of Britain in case of French action as in Tahiti; stating that they
wanted no 'strange interpretations' of Christianity; and saying that
'the Island of Rarotonga is our own handed down to us by our ancestors
from time immemorial'. CO 209/196, Grey to CO., 24 Feb, 1866 and
enclosures: 'Assembly of Lords' of Rarotonga to Grey, 9 Nov. 1866;
Residents of Rarotonga to Grey, n.d.; Krause to Grey, 6 Nov. 1866.
In CO to FO., 29 May 1866, the Foreign Office was to inform the French
that Rarotonga had been under the care of Protestant missionaries.
the missionary, W.W.Gill, taken seriously in 1863. In the meantime, Tahiti had been annexed after what seemed to the islanders a succession of humiliating and bullying actions on the part of the French. In the Cook Islands themselves, the visit of the French warship, *Hugon*, to Rarotonga in 1881 and the announcement by the captain, Menard, that a French protectorate was contemplated and that the people should stop trade with Auckland in favour of Tahiti, had induced *ariki* and trader alike to importune the Governor's protection. A Raiatean delegation had visited the islands to enlist support against French annexation. LMS missionaries, antagonistic to the spread of Roman Catholicism, had warned the people against acceptance of a faith propagated in the shadow of force; and local traders, mindful of trade links with New Zealand, had added their apprehensions to an already impressive list. Cook Islanders were deeply impressed by the Tahitian experience and aware of the arc of French ambition taking tangible form across the Pacific. Consequently, they sought to press their links with Britain for protection of their independence against the ambitions of other nations.

By 1881, the predominantly European settlers had obtained the appointment

14 CO 209/248, CO minute on Gov. to CO, 21 May 1888: '... it can only be a question of time when Rarotonga and other islands containing population of kindred race to the Maoris are absorbed, and we shall have the same indignant protests all over again from the Australasian Colonies and perhaps another penal settlement ...'. Also CO 225/31, CO minutes on Admiralty to CO, 10 Jan. 1889, enclosing an extract from *The Times* (22.1.89) with the statement of Bishop Freppel in the French National Assembly: CO minute on W.W.Gill to Gov., 1 Jan. 1899, 'a pity that the Austral people must be left to the mercy of French priests'.

15 This situation was not new. See SSL (Rarotonga), G. Gill, 18 Oct. 1847, and W. Gill, 20 Dec. 1847, on the visits of French ships and demands for indemnities and fines.

16 FO 58/170, British Residents of Rarotonga to FO, 15 March 1890. The settlers again warned that 'other powers' were 'taking the initiative' in the Pacific and they asked for confirmation of Goodman's appointment as British Vice-Consul (see next page).
of one of their number as an unpaid British vice-consul to safeguard New Zealand's interests. With renewed fears of French invasion and pressure from New Zealand, a protectorate was finally proclaimed by Britain over the southern islands in 1869. It was clear, however, that the ariki on the one hand, and the settlers on the other, had widely different expectations of British protection.

In 1885 Makea Takau visited Auckland. She was one of five Rarotonga ariki. Though frequently referred to as the 'Queen of Rarotonga', this did not reflect her real position or the opinion of her fellow chiefs, despite the increased prestige of her line owing to mission influence, harbour facilities and European patronage. She told John Ballance, then Minister of Native Affairs, of her fear of 'some hostile action on the part of Germany or France'. Subject to further consultation with her people, she had favoured some form of protectorate that would shield the islands from the attentions of other powers while ensuring the retention of 'their own government and institutions'. In his report of this interview, Ballance had recommended that if a formal request from the ariki were received, a protectorate should be granted 'for imperial reasons', but

... the people should be allowed the opportunity to work out their own destiny with as little interference as possible. If the islands were annexed to New Zealand, it should be a stipulation that the right of self-government to the people of Rarotonga and the other islands be guaranteed.

In answer to a request by the ariki for a written expression of his views, Ballance had submitted the following proposals:

The islands shall come under the protection of the British Crown upon the request of the rulers, expressed to the Government of New Zealand. An alliance shall be formed between New Zealand and the islands on a basis of commercial reciprocity, the islands retaining their local institutions and the right of internal self-government.

While this part of Ballance's report corresponded fairly closely with ariki wishes, the earlier reference to annexation did not. However, it did

17 FD 58/145, 170, 172, 174 include the long drawn out negotiations concerning Goodman's appointment. In 1884 he was succeeded by Richard Exham, who had been a trader on Atiu for fourteen years. He was currently the representative of the Auckland firm Donald and Edemborough.

10 AJUR, 1886, A-1, p.15, Gov. to CO, 5 Dec. 1885.
coincide with New Zealand policy. In 1885 the Premier, Robert Stout, pressed claims on Rapa and the Cook Islands. He followed up Ballance’s negotiations with Makea by urging prompt action and stating his belief that the islanders would 'gladly accept annexation'.

In the meantime, New Zealand's commercial involvement with the Cooks, strengthened by a more recent settler petition for stronger consular representation, led to protracted negotiations with the Colonial Office over the future of the islands. These were interrupted by receipt of a petition from Makea in 1886 – occasioned once again by anxiety over French intentions, but motivated also by the hope that British recognition of chiefly government would strengthen the hand of the ariki against the increasing aggressiveness of traders and planters.

In suing for British protection, Makea stressed the long-standing British connection with the islands through the LMS and the close ties between Cook Islands and New Zealand Maoris. The Colonial Office took the racial affinity argument seriously and sent a strongly-worded recommendation to the Foreign Office in favour of a protectorate, with suggestions concerning the form to be devised, conditional upon New Zealand agreement to pay the salary of the British Resident.

Captain Bourke’s proclamation of the protectorate (in the name of 'that Great Country which has done so much for the advancement of civilization') contained those points that had so far been accepted in principle. The laws and customs already recognized would remain in force, ariki administration over the districts would not be interfered with, and 'all persons of whatever nationality who choose to reside in the country

20 CO 209/246, CO to FO., 1 Sept. 1886.
21 CO 209/248, Gov. to CO., 21 May 1888 and enclosures. See also CO 225/29, Makea to Lord Salisbury, 31 April 1888. In this she offered to contribute towards the support of a British Resident.
22 CO 209/248, CO to FO., 16 July 1888; FO 58/224 and CO 225/29 for negotiations.
must conform to the laws thereof. 23

Further negotiations over the Resident ended in favour of his nomination and payment by New Zealand, together with the right to advise him through the Governor — thus securing for the colony his services as a trade representative. Britain retained the prerogative of determining the type of government to be formed. That a New Zealander would be chosen was probably inevitable but the *ariki* themselves pre-empted any alternative. Makea demanded the dismissal of Exham and his replacement by a Resident from New Zealand. This was partly a matter of personal dislike and partly a rejection of settler influence. But the *ariki* were also reacting against rumours, fomented by local trading interests, that Fiji might 'take over' the group. Of Thurston, as Western Pacific High Commissioner, they were deeply suspicious and remained sensitive to any threat to their autonomy. In expressing a preference for a Resident from New Zealand, or even annexation to the colony in preference to Fiji, the chiefs would have been conscious of Ballance's assurances that their autonomy would be safeguarded. 24

The Protectorate

In 1891 Frederick Joseph Moss arrived in Rarotonga as the first British Resident. An Auckland administrator and politician, Moss was a supporter of Sir George Grey whose vast enthusiasm for the extension of British influence he shared. As a Parliamentarian, he had travelled widely in the Pacific, and, in 1888, had been a member of the Royal Commission which had investigated the feasibility of Vogel's confederation and annexation scheme. He brought

23 CO 225/31, Admiralty to CO, 10 Jan. 1889. Bourke so worded his proclamation that the islands were legally annexed. This led to proposals for a feasible and not too public corrective. Certain conditions concerning land, liquor, arms and the labour trade were extracted from New Zealand. In the proclamation, the *ariki* were enjoined 'to exercise their authority with moderation and care, to rule the people with justice...'.

24 CO 209/250, Gov. to CO, 9 Aug. 1890. On the strength of these rumours Makea believed that Exham and Thurston had been corresponding on the future of the Cooks. Pa *Ariki* had asked for '... a man fresh from the English Government, a good man, new to the country whose heart is "tender" to native and white alike'. CO 225/29, Bourke to Admiralty, 13 Nov. 1888 and enclosure.
to the Cook Islands his own rather vague radicalism, a commitment to a
democratic ideal, an anti-landlord outlook and considerable dedication. 25
His approach was also conditioned by his appreciation and approval of
the Tongan experiment in island self-government. Having recently refused
a position in Tonga to become the 'Guide, Philosopher and Friend' of that
country, 26 he may have regarded the Cook Islands, which lacked centralised
authority, as offering greater constitutional possibilities. It also
seemed feasible to bring to the islands the benefits of British protection
while effecting the kind of association with New Zealand enunciated by
Dallance. 27

Moss's function was to be an advisory one based on his rapport with
the ariki. He was instructed both to recognize ariki authority and to
classify 'representative institutions' leading, if possible, to the political
unification of the islands. 28 Prior to his arrival at Rarotonga, each ariki
was supreme in his own district and therefore not accountable to any outside

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25 Moss had been an Otago Provincial Councillor, 1863-67, and on three
occasions had acted as Treasurer. He was the first Secretary of the
Auckland Board of Education 1870-78, and was then member for Parnell
in the national Parliament 1878-90. For several years in the late
60's he had attempted cotton-growing in Fiji before ill-health drove
him back to New Zealand. B.J.Foster, 'Moss, Frederick Joseph
(1827-1904)', An Encyclopaedia of New Zealand, ed. A.H.Welintock,
Wellington, 1966, pp.586-7. See also Moss Through Atolls and Islands
in the Great South Sea, London, 1889, and Notes on Political Economy
From the Colonial Point of View by a New Zealand Colonist, London,
1897. As one who might have been a Liberal Minister (A-33, Ballance
to Moss, 31 Oct. 1890), Moss's reservations about some of the more
radical Liberal policies (in particular its labour legislation) placed
him closer to Seddon than to Ballance or Grey. His correspondence
with T.W.Leys (Auckland Star) reveal his limited appreciation of
the social reconstruction being attempted. MP, 215, Leys to Moss,
25 Feb., 26 March 1895.

26 MP, A-33, Thurston to Moss, 28 Oct. 1890.

27 Dallance, however, informed Moss that he looked upon the Group as
'really a dependency of New Zealand'. MP, A-33, Ballance to Moss,
31 Oct. 1890. See also his statement to the House: 'the group is
practically annexed to New Zealand ...', (3 Aug. 1891) quoted in
Ross, New Zealand Aspirations, p. 244.

authority for his control of district affairs. There was a single code of missionary-induced laws, but law-enforcement was carried out by police and judges appointed by the chiefs.

Quite apart from the question of a central government, Moss saw the need for legal and administrative changes if the islands were to establish internal order and benefit from the increasing volume of trade. His early despatches reveal clearly the disparity between the constitutional and economic possibilities he saw for the islands and the problems he associated with past ariki missionary rule. In a "theocratic type" government, church membership was an indispensable qualification for public life. Fines for infringements of the numerous moral and social requirements of the law were divided between the ariki, judges and a spawning police force. The judges themselves were important and powerful props in the maintenance of ariki authority. The financial incentive and the close connection between ariki and church authority was responsible for repression, police spying and even torture. Reform was therefore a matter of social justice and secularisation.29

Ariki sensitivity over their autonomy and control of land rights was an obstacle to the development of democratic institutions and land reform—the twin bases of the tropical garden for New Zealand. Moss himself regarded the unselfish allegiance and contribution of all citizens to the state as the highest virtue. In this, untrammelled 'individualism', and the exploitation of wealth, national resources and the labour of their fellows by the few, had no place. While communal effort, so evident in Maori society, therefore had its attractions, the ariki seemed to represent the same threat to the well-being of all that the 'commercial aristocracy' posed in New Zealand.30 The extent to which Moss could persuade the chiefs

29 ibid., 1891, A-3a, Moss to Gov., 17 Jan. 1891, 31 Aug. 1891; R.P. Gilson, 'Administration of the Cook Islands (Rarotonga)', unpublished M.Sc. (Econo) thesis, University of London, 1952, p.163. See also Gilson's Ch.4 for a comprehensive coverage of the Moss period. Also Moss, Through Atolls and Islands, pp.118-19 and Ch.VII on "Missionary work in the Pacific" and the dangers he saw for the people in a narrow and rigid outlook and lack of mental stimulus.

30 Moss, Notes on Political Economy, p.29
to change laws or promote 'representative institutions' and economic
development was at once limited by their self-interest and dependent
upon his own ability to sell reform and make it worthwhile.

In 1891, Moss laid the basis of a federal structure in establishing
a Federal Council. This was reformed in 1893 because of strong ariki
objections to the principle of majority rule and representation for
girls and lesser chiefs. The resulting Federal Parliament consisted
of an (ostensibly) partly elected lower house; and an upper house
comprising the ariki alone, which could disallow enactments of the lower
house. There was also a Federal Executive Council. Whether Moss hoped
that his three levels of government - federal, island and district -
might correspond with the 'national, state and municipal' governments
of established federations is hard to say. Moss himself favoured
decentralization and was aware that this was the only acceptable way of
unifying the islands. He believed that strong island or district councils
under ariki and mission control were the basis of peace and order. They also maintained ariki authority and accommodated a variety of custom
and procedure throughout the group. The first law passed by the Federal
Council provided for each island to continue to govern itself in local
matters.

The structure therefore allowed, at least theoretically, each level
of government to enact and administer laws concerning only the territory
which it represented. The Federal Government was concerned with customs
duties, currency, postal and other national services. Each island government
managed its own affairs. There was nothing which required a chief to forfeit
any of his powers; the transfer of his authority to the Federal Government
was a voluntary matter.

31 cf. R.P. Gilson, 'Local Government in the Cook Islands', unpublished
paper, Canberra, n.d. It is just as likely to have had fortuitous
analogies with the defunct provincial system in New Zealand of which
Grey was such a passionate defender. See Moss, Through Atolls and
Islands, p. 53 for his comments on the 'Teutonic tendency to
decentralization' as against 'Romnic' centralization.


33 Gilson, 'Local Government', p. 3.
Federation was but the loose beginnings of what Moss hoped would result in a developing sense of unity and political sophistication. He hoped also, even after the defeat of his attempts to encourage wider participation, that more flexible attitudes would develop. He had refused the ariki offer to preside over the Council because he was committed to building up a strong Maori polity as independent as possible of Europeans or outsiders. To this end, he insisted on the teaching of English in schools as a means of encouraging administrative skills and of hastening Maori participation in government. He also hoped 'anglicization' would underpin the implanted institutions and induce change.

By 1894 Moss was satisfied that the government was working smoothly. Believing that he had achieved a significant constitutional advance on Tonga, where Parliament met only 'once in three years', he turned his attention to judicial reform, land and economic matters. He proposed a reduction in the size of the district police forces, payment of salaries to judges and police, remittance of court fines to the central treasury, and payment of ariki and matalapo. A proliferation of exhortatory messages and legal incentives designed to increased land use followed. The response of the ariki was the 1895 declaration on land which summed up their attitudes to land-holding and resistance to alienation. Moss became convinced, however, that immigration was necessary to stimulate the economy.

The institutional and economic innovations so far made, together with moral suasion alone, were not sufficient to effect the reforms the Resident regarded as necessary. He lacked the finance to erect government buildings on neutral ground. Without banking facilities he used one of the existing business houses, Donald and Edenborough, to handle public money – an expedient that aroused the ill-feeling of other merchants. He recruited

34 NP, A-33, Moss to Caslow, 25 Jan. 1894: 'The Cook Islands is the only free Maori Parliament ever attempted'.

35 Most of the messages sent to the Council appeared in the newspaper To Torea. See also AJHR, 1894, A-3, Moss to Gov., 15 Oct. 1894, 'Proposals for Advancing Rarotonga'.

36 One of Donald and Edenborough's employees was Charles Banks, alias Scard. Banks was wanted by the American authorities in connection with defalcations from Wells Fargo. He eventually died in Rarotonga, where he combined a quiet social life with diligent service for Donald and Edenborough and, until Moss's departure, the Federal Government. He kept a diary which is disappointingly slight compared with his voluminous correspondence with Moss after 1898.
those settlers and Maoris who were in any way suitable as clerical assistants, but who later became identified as leaders of a pro-Moss faction.

In addition, Moss was faced both with problems arising from chiefly jealousies, and with the consequences of his inability to speak Maori or fully understand and cope with some of the finer points of Maori politics. Pa Ariki's refusal to pay her court fines into the Treasury was not only because this infringed her control. When Makea had become 'Head of the Federal Government' and Tinomana 'Head of the Government of Rarotonga', Pa had been given no corresponding honour or compensatory gain. Pa and Makea were also enemies of long-standing. In other instances, however, Moss was alive to the concern of outer-island ariki that Rarotonga might dominate the islands, and to jealousy between the Rarotonga ariki themselves. This was one of the reasons for the accent on strong district government and his reluctance to push the chiefs too far in the matter of court fines and law reform. But when he attempted to allay suspicion among the Rarotongans by moving to the new Residency, he deeply offended Makea (whose guest he had been) by removing himself from her patronage.

Without power or authority, Moss's prestige and effectiveness rested on his ability to advise, persuade and retain the confidence of the chiefs. It was also necessary to remain aloof from, as well as to satisfy, the various factions among the traders, planters and missionaries. From the beginning this was a problem which the terms of the proclamation compounded. The ariki expected him to promote their interests and support them against settler pressure. Both ariki and missionaries resented 'unwelcome' whites engaged in the liquor trade or involved in disputes over trading and land rights in various islands. The settlers and traders looked to him for

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37 See Gilson, 'Administration of the Cook Islands', p. 165.

38 See ANHR, 1891, A-3, for the land cases involving Pearse on Mangaia, Framheim on Mauke and Mason on Aitutaki. The Mangaians did not want traders, or stores which encouraged debt. They cited Bourke's proclamation in defence of their right to be obeyed or to evict nuisances without repercussion, as against Thurston's request, backed by Moss, that traders were to have some protection. SSL, Harris (Mangaia), 7 April 1891.
redress against 'arbitrary' *ariki* authority and for assistance with economic and commercial development — which also implied the acquisition of land. Moss was torn between recognition of *ariki* control and the 'justice' of some European aspirations. He had never believed that 'whites' were as wicked, or natives as innocent, as the missionaries painted them. Since traders were intermediaries and sometimes instructors, and assisted in the spread of British influence through commerce, he had considerable sympathy and respect for many of them.

Moss was soon quite unable to reconcile conflicting *ariki* and settler interests and he became a prey to local jealousies and energetic factions. Endemic factionalism and lack of finance also limited the efficacy of many of his programmes and prevented him from demonstrating the advantages of the innovations made. Deficiencies in his schemes, together with signs of impatience and tactlessness as frustrations and pressures mounted, did not help. Some missionary observers considered him headstrong and prone to drive rather than lead the Maoris.

When Parliament was formed, Europeans had claimed the 'right' to special representation. This was resisted by the chiefs and opposed by Moss on the grounds that the government was a Maori one and that Europeans were, by the terms of the proclamation and their own free choice of residence, subject to its laws. The Resident had therefore helped to bring about a situation he had deplored in Fiji as an 'un-English and degrading system of Government'. The settlers were bitter about their disadvantaged position as a group claiming that this was against the spirit of the injunction to the *ariki* in the same proclamation. The traders were resentful of Moss's preference for Donald and Edenborough and his inability to force the Maoris to produce more and to pay their debts. They were therefore unsympathetic both to his difficulties and to the maintenance of a 'native government'.

Moss was no more successful with the missionaries whose role as sole advisers to the *ariki* was threatened not only by his presence but by the secular institutions which weakened the connection between church and state.

When the English-teaching programme flagged, Moss invited the assistance of the Seventh Day Adventist and Roman Catholic missionaries whose entry he had been unable to prevent. He thereby incurred the wrath of the LMS (already put out, and angered by Moss's reluctance to support prohibition on their terms), and the displeasure of Governor Glasgow. The Resident's plan for 'Christian Japanese' and European settlement, and his attempts to persuade the islanders to lease land for commercial purposes, intensified the suspicion of European motives.

Finally, Moss suffered from a further problem which was the result of earlier official compromise. This was the basic matter of control of the islands and the exercise of British jurisdiction. Prior to 1893, Moss had been the representative of British authority. In that year, Western Pacific High Commission jurisdiction was extended to the islands in cases involving Europeans. This provided the opportunity for Glasgow, with Thurston's support, to propose full control of the islands by the Commission. More than Moss, Glasgow was uncomfortably aware, on the one hand, that New Zealand was being appraised for future responsibility; on the other, that the Cooks were being evaluated, in terms of their response to self-government, by colonial politicians intent on annexation. In the circumstances, administration from Fiji would both solve the problem of divided control and remove the group from New Zealand influence.

Moss himself was uneasy at the suggestion that the Cooks should be given over 'to the entire jurisdiction of the High Commission'. This involved not only the question of his loyalty to New Zealand. Though he liked Thurston personally, Moss was critical of the approach of his mentor, Sir Arthur Gordon; of the system of government instituted in Fiji (and likely to be extended to the Cooks through the High Commission); and of a 'blundering' and unsympathetic Colonial Office. The Resident hoped

40 CO 209/253, Thurston to Gov., 12 Oct. 1893; Gov. to CO 16 Dec. 1893.
41 MF, A-33, Glasgow to Moss, 6 Nov. 1893. Glasgow had suggested that the islanders pay the Resident's salary. In a draft (undated) on this letter Moss wrote, "they have no wealth ... My idea had always been to make them the centre of extending British influence. In a few years the young people now being taught would be able to do the work here and lead in other islands. The cost has so far been less than that of a consul'.
42 Moss, Through Atolls and Islands, p. 7 and Ch. 10
to create a secure and tolerant Maori polity, not a 'Crown colony of
a severe type'. He seemed to feel that his freedom of approach was in
jeopardy and made a plea that a 'reasonable time' be allowed for the
islanders to adjust to European ideas and 'commercial morality'. It
was also important to him that the Maoris 'should not have more Europeans
than possible over them if they were to preserve their self-respect'.
Moreover, Seddon refused to co-operate with any proposal for further High
Commission involvement, and the reluctance of the Colonial Office to
approach the Treasury for payment of the Resident led it to recommend
annexation. Glasgow, already at variance with his Ministers over
annexation, declined to pass on this information. The Governor's view
prevailed and for a time the protectorate continued on the same basis
as before.

The situation came to a crisis in 1897. New Zealand antipathy to
High Commission jurisdiction and the unresolved problem of cases involving
non-Polynesians resulted in the Colonial Office instructing Moss to
secure the passage of a Federal High Court Bill with himself as Chief
Justice. The Resident did not, however, make the origin of the proposal
clear and the Parliament refused to adopt it, fearing that he was
attempting to seize greater powers for himself. A series of clashes with
the ariki in which other dissident factions were involved resulted in a
petition for his replacement.

44 CO 209/256, Gov. to CO, 16 June 1896. Glasgow's opinion of colonial
ambitions and capabilities were shared by officials within the High
Commission, which also resisted moves to deliver Tonga up to 'the
tender mercies of Seddon' and his 'Parliamentary hoodlums'. Scarr,
op.cit., p.110, quoting Hunter to Jackson, 10 May, 10 June 1903
(personal) W.P.H.C. Inward Correspondence, General.
45 Ariki fears of losing their land and their mana were played upon
by settlers. A 'poem' entitled 'King Richard's Royal Progress',
printed in an Auckland paper, was used to good effect in the islands.
It referred to themislanders as 'niggers' and to people like Moss
being 'little kings'. AJHR, 1890, A-3, p.4, Moss to Gov., 17 Sept 1897.
An inquiry by Prendergast, the New Zealand Chief Justice, followed. He recommended the passage of the Bill and more direct British control by increasing the power of the Resident. He believed that annexation would probably be necessary to resolve the issue of authority and as a starting point for reforms — since the 'election of the people' was incompatible with the fact that the ariki had all the power through 'owning' all the land. Moss was cleared of nearly all the charges made against him. It was decided, however, that he should be replaced as he had apparently lost the confidence of the ariki.

Moss had chosen to see the Cook Islands as part of a future Pacific Federation, a galaxy of internally viable countries — in terms of Grey's vision — linked to, rather than dependent on, New Zealand. He was therefore committed to the protectorate and to Maori self-government — in reshaped form. But he was never able to reconcile this aim with New Zealand's concept of influence through ownership. His whole vision was complicated by the onus placed upon him to fulfill contradictory tasks: to ensure New Zealand's chances for annexation and to nurture Cook Islands self-governing aptitudes; to strengthen Maori government and to accommodate Europeans interests. Though he had not seen it at the time, the seeds of his failure were present before he was appointed.

His major difficulties arose from a badly designed system of control — or, more accurately, makeshift arrangements that were intended as a precursor of dependency and as a placatory gesture to the islands aristocracy. Moss's later recognition of this was possibly responsible for his haste in introducing reforms that would demonstrate ariki.


47 Moss had expressed the opinion that 'the success of the present experiment might fairly be regarded as a first step towards the extension of New Zealand's influence, and to her becoming the commercial and ultimately the political centre of an island federation that would form a fitting companion to federated Australia' — ibid., 1892, A-3, p.35, Moss to Gov., 17 Dec.1891. Moss was supported in these aims by Lord Onslow who continued to initiate discussion of Pacific questions in the British Parliament after the expiry of his term as Governor in 1892. See, for example, MP, 215, Onslow to Moss, n.d., received 2 Sept. 1893, 4 Nov. 1893 and 11 June 1895.
capabilities. A second difficulty stemmed from a proclamation that both assured the continuation of chiefly rule but placed limitations upon it, thereby perpetuating contention between the chiefs and the foreign population. In addition, the subsequent provision of special judicial arrangements for Europeans perpetuated the pre-protectorate troubles and weakened rather than strengthened ariki control.

Without power, Moss could not play the benign but hard-headed governor, as Gordon did in Fiji; without the unqualified recognition of ariki authority, he could not act solely in the interests of the Cook Islands. Had he not lost the support of the LMS he might have been able to maintain order and to continue his programme of reform despite diminishing ariki confidence and the hostility of the settler groups. Without adequate backing and a co-ordinated approach, the attempt to unite, guide and democratise the numerous ariki, attuned to fine internal balances and sensitive to the slightest threat to their authority, was finally beyond him.

Moss came to see that the hegemony of the ariki, which had extended beyond the limits of the traditional system, was inimicable to the kind of progress and results desired by the British and expected by New Zealand. He was aware of the extreme touchiness of the chiefs about their mana and their view that British officials were not supposed to infringe their administration. But he had come to favour some 'reserved powers' in the Resident as it became apparent that the ariki were reluctant to take advantage of reforms, turning instead to settler groups to thwart official guidance, and thereby unwittingly precipitating outside interference in their affairs. Though he had become impatient with ariki authority he lacked the ruthlessness to destroy it. But his disillusionment with the system of control, in which Maori interests had seemed partly irrelevant, prompted him to advise that New Zealand should 'either seek the entire control or cut loose from the Cook Islands altogether.  

48 Gilson, 'Administration of the Cook Islands', p. 201.
49 AJHR 1899, A-3, p.3. Moss also reported that the Maoris didn't want any more white men 'controlling their affairs', ibid., 1898, A-3, Moss to Gov., 16 Sept, 1898.
50 This was part of a strongly worded letter to Seddon also printed in the Wellington Post (27 Oct. 1899) and the Evening Star (3 Nov. 1899). Moss later attributed 'the root of the evil' to the present division of power and responsibility between the Imperial Government and New Zealand.
CHAPTER 3

Engineering Annexation

Gentlemen's agreement

The Colonial Office and the New Zealand Government agreed the protectorate had failed in terms of the aims set for it.\(^1\) They agreed also that annexation would solve many of the problems within the islands, including the divided and unsatisfactory nature of control.\(^2\) For the time being, however, the difficulties were such that neither annexation nor the renunciation of the protectorate could be contemplated as an acceptable way out of the dilemma. Ranfurly still opposed annexation, certainly in the short term, and preferred that a 'capable' Resident should first 'educate the natives up' to it.\(^3\) The Colonial Office insisted that New Zealand should proceed only at the expressed wish of the ariki. On the other hand, renunciation of the Protectorate would be resented by the chiefs and would invite criticism throughout the Australasian colonies. The Colonial Office threat to renounce the protectorate forced Seddon to agree to continue paying the Resident and to co-operate in maintaining the present arrangements. This was an expedient giving further life to the protectorate and at the same time obviating the need for an appeal to the Treasury. It was agreed however, that although the time was not yet opportune, the ultimate destiny of the Cook Islands was incorporation with New Zealand.\(^4\) Thus, when Seddon consented, under pressure, to the continuation of the protectorate and to payment of the Resident, he did so on the understanding that annexation was the ultimate goal.

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1. See AJHR, 1898, A-3, pp. 1-6, 41; CO 209/248, Gov., to CO, 7 March 1898; Gov. to CO, 2 April 1898.


3 CO 209/258, Gov. to CO, 7 Feb. 1898 (secret).

4 ibid., CO minutes onGov. to CO, 3 March 1898; CO to Gov., 5 May 1898; CO minute on cable Gov. to CO, 2 April 1898. Commenting on New Zealand's attitude, the Colonial Office said that the Cooks were remote and worthless and that the protectorate had been established only because of New Zealand's demands and her agreement to pay the Resident. If the colony refused to co-operate, the possibility of administration under the Western Pacific High Commission might be considered - with the islands themselves paying the Resident.
Apart from the High Court Bill, there remained, central to the issue of government, the matter of the elected representatives and the power of the ariki. The Colonial Office was unable to recommend a definite course of action which would avoid the extremes of unchecked ariki authority and drastic interference with those lawful rights already guaranteed them. Although it had come to acknowledge that a 'reserve power' behind the Resident was now necessary, this too would have been incompatible with the terms of the protectorate.

In the absence of a prior solution to these problems, much would depend on the man who became the second British Resident. It was recognised that:

the man who is competent is not likely to remain acceptable for any length of time. What with the ignorant fanaticism of the natives on the part of their mana or power and the jealous intrigues of the foreign inhabitants.5

The Colonial Office concluded that it would be essential for the Resident to be 'firm, tactful and with experience.6 In order to enhance such qualities and standing as he might possess, and to avoid a further 'intolerable' situation, much thought was given to the means of his arrival at Rarotonga and the panoply of British authority which would both launch and dignify his office. The Colonial Office suggested a 'wigging' of the islanders for their previous lack of co-operation and as a means of inducing 'respect' for the incoming Resident.7 Finally, as the ultimate safeguard, the consolation remained that the modification to Bourke's proclamation did not renounce British rights, but had merely stated that the protectorate would remain for 'the present'. Reserve powers of legislation, by order-in-council if necessary, could therefore rescue the protectorate from further difficulty. Thus, amidst a conspiracy of silence as to future intentions, the powers agreed on a continuation of the protectorate.

5 CO 209/258, CO minutes on cable Gov. to CO, 2 April 1898.
6 ibid., CO to Gov., 11 April 1898.
7 The 'wigging' and other arrangements are outlined in ibid., CO minutes on cable Gov. to CO, 2 April 1898. See also Gov. to CO, 1 Sept. 1898 and enclosures - 'Gudgeon must be given respect'; and CO to Admiralty, 28 Oct. 1898.
Seddon nominated as the second British Resident W.E.Gudgeon, a man of forceful personality, with a background of service in the New Zealand Maori wars and experience of Maori administration as a rural Resident Magistrate and Judge of the Native Land court. 8

Promoted to Lt. Colonel, Gudgeon arrived at Rarotonga on 10 September 1898 with accompanying ceremonial including a salute of guns. A proclamation from the Governor was read by the naval captain to all the ariki and 2,000 other islanders assembled for the ceremony. Making much use of the Queen's name, it rebuked the islanders for their treatment of Moss and for listening to 'unauthorized persons, who wish only to make mischief for their own ends, and to estrange the people of the Cook Islands from Her Majesty'. It also directed them to 'exact the Federal Court Bill in the terms in which it was laid before them by the Resident'. An additional message from the Governor commended Gudgeon to the people as an officer

... who has had over thirty years experience both civil and military, among the Maori inhabitants of New Zealand,... I recommend him with confidence to the inhabitants of the Cook Islands feeling assured that it will be for their advantage to be guided by one who possesses such qualifications for the duties of his office... 9

The people were impressed. Makea lost no time in writing to the Governor thanking him 'for sending so great a man to us' and assuring him of the 'good-will of the inhabitants of the Cook Islands to support [Gudgeon] in carrying out good laws as becomes loyal subjects of Her Majesty Queen Victoria'. 10 Gudgeon observed that the proclamation had produced 'an excellent effect on the ariki and chiefs of the group' and thought the

8 See Appendix A for a brief biographical note on Gudgeon. He wrote later that Seddon had explained to him that 'Mr. Moss had been found wanting in both tact and temper and every other quality requisite of a Resident'. GP 662/A, p.1.

9 AJRB, 1899, A-3, p.5 (proclamation and message).

10 CO 209/259, Gov. to CO, 25 Oct. 1898, enclosing Makea to Gov., 13 Sept. 1898. One of the local newspapers, set up in opposition to Moss, echoed Makea's relief at the departure of Moss and the arrival of Gudgeon: 'At last we breathe the air of serenity, of peace. The political storm which has raged through our island so many months has happily come to an end'. JOI Karanga, 24 Sept. 1898.
Federal Court Bill would be passed when the local parliament met. He predicted 'I do not anticipate that I shall find any difficulty in dealing with the people of the group'.

Gudgeon's initial findings confirmed the impressions he had gained from papers and reports during the few days spent in Wellington. Although aware that he had support from Wellington and London denied his predecessor, he was both critical of Moss's mistakes and gratuitously contemptuous of him as a person.

In Rarotonga, he listened 'ad nauseam' to the views of the opposing factions - those whom he referred to derogatively as the 'piri Moti' and the band of 'chivalrous young men', notably the doctors George and William Craig, who stood behind the traders and the ariki opposed to Moss. He took a serious view of the administrative and social consequences of Moss's errors of judgement, but it was also apparent that the situation titilated his sense of the ridiculous and led him to indulge in a verbal orgy in which his characteristic inability to suffer 'fools' was amply displayed. His prejudice was illustrated by his characterisation of Moss as 'this wretched Jew' or 'that Christian Jew'.

12 Gudgeon's reading of Prendergast's report (itself unsympathetic to self-government under ariki rule) left him from the start with an unfavourable impression of Moss and the protectorate.
13 'stick to Moss', used in the sense of a party or faction.
14 CP, 662/A, pp. 1-2. Gudgeon had felt 'naturally drawn' to the Craig brothers and said that, but for them, Moss would 'still have been British Resident'.
15 ibid., 662/C, p.20. See also his account of the Hospital Board election. Here Moss emerges as a Malvolio-like figure of whom Gudgeon said 'If the actions of Mr. Moss at this stage disclosed an unbalanced mind, his subsequent proceedings are those of a malicious idiot'. ibid., p.17. The information for these accounts was received at second hand but the writing captures the scorn of his information. It is more than probable that Moss was losing his sense of perspective but certainly not his reason.
There was also a deliberate political reason for this denunciation:

... I have been sent here to induce the people to hand over their
Mama and land to the care of Great Britain, but I find that Moss
and his followers have used the threat of annexation as an impending
evil or Punishment for contumacy. The result of this foolery is
that I must acquire the confidence of the Natives by standing up
for everything they have done as against the Moss gang irrespective
of right or wrong.¹⁶

Apart from his belief that 'one third of the revenue has been lost
either by carelessness or mulversation [sic]' - which meant getting rid of
the 'present imbecile Collector of customs' - there were several other
issues which demanded attention to placate anti-Moss feeling among traders.
These included the erection of Government buildings to house the Bcbd,
Customs, Treasury and Post Office, previously housed with Donald and
Edenborough. Traders believed that this firm had been getting preferential
treatment, and as government bankers, a monopoly of British coin.¹⁷

Gudgeon could not introduce legislation nor effect, by means of his
authority alone, the major reforms he concluded were necessary for efficient
administration and as steps towards annexation. He had to seek the
confidence and support of the ariki without whose backing neither reform
nor annexation could take place.

Nevertheless, by means of the High Court Bill he could gain from the
ariki an important concession and at the same time reduce the recalcitrant
element of the European population. In fact, he secured the passage of the
Bill as expeditiously as he had predicted and before long had assumed all
the supreme judicial powers on Barotonga. These powers, and the sacking of
'Moss men' from government positions and their replacement with noted Moss
opponents, produced fear and uncertainty among many settlers who, though
they supported or worked for Moss, were by no means blind followers. They
were unconvinced of Gudgeon's impartiality and frightened by the implications
of his growing power.¹⁸

¹⁶ Gudgeon, 'Auto biography', p.103.
¹⁷ ibid.
¹⁸ See the Banks letters for this period, 1898-1899. MP, 215 and A-33.
The Bill also had other important repercussions. It stated that

... the procedure of the Court shall be in accordance with the principles of the English Courts, so far as they can be applied with due regard to established Maori laws and customs prevailing at the time ... 19

The High Court itself compromised ariki authority, and therefore also 'established laws and customs', by creating a European shaped and directed institution catering for Europeans and subsuming Maori concerns previously under the jurisdiction of Ariki Courts. Although Moss had tidied up some of the sprawling missionary-inspired laws he had stopped short of the point where a clash with ariki authority would have been inevitable. But there remained a body of laws administered by ariki - dominated judges whom Gudgeon thought both incompetent and corrupt. Moreover, the chiefs had resisted the move to pay fines to the Treasury so that the sharing of fines among judges and ariki also remained an accepted procedure. Gudgeon was determined to reform local laws and to apply them through Resident Agents of his own choosing. 20

In addition, because of the problems of distance and finance, Gudgeon himself was appointed Chief Justice and later a Judicial Commissioner with powers conferred through the Western Pacific High Commission. 21

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19 AJHR, 1899, A-3, Gudgeon to Gov., 19 Sept. 1898, enclosure No.1, Cook Islands Parliament - High Court Bill, Cl. 10., p.11.

20 As a prelude to reform Gudgeon began a campaign to discredit some of the laws and the judges. See IoI Karanga, June 17, 1899, and accounts of Gudgeon's meetings with judges in NZU, 9 Jan. 1899.

was unhappy about the implications of this move:

... the British Resident being Chief Justice, with no appeal, places absolutely autocratic power in one individual's hands and it is somewhat difficult for him to carry out the double office: First as Adviser to the Cook Islands Government, when he has to recommend a prosecution, and second, as Chief Justice to decide the case in Court. 22

This was a British sanctioned combination of powers, not only unacceptable in Britain, but contrary to the instincts of the ariki who, as Gudgeon himself admitted, had rejected a far more modest combination in Moss. It was, unashamedly, a money-saving expedient accepted with grave reservation by the occasionally principled, but Treasury-shy, Colonial Office.

Given their jealous regard for, and usually acute awareness of, any threat to their powers, why had the ariki so readily agreed? Gudgeon's diplomacy had, in fact, proved very effective. He had gone out of his way to profess his friendship for the chiefs. They believed in his integrity and in the promises of the Crown which had both introduced and recommended him to them. Moss' arrival in the islands had been without fanfare or conspicuous official backing; Gudgeon, on the other hand, had the kind of introduction and the personal bearing which the island aristocrats appreciated. As Gudgeon knew, they were flattered by his interest in their culture and by his ability to converse with them at first in New Zealand Maori and then in fluent Rarotongan Maori. 23 The ariki were further disarmed because the bill came direct from the British authorities and also on account of Gudgeon's great knowledge of judicial procedure. 24

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22 ibid., 1901, A-1, p.2 Gov. to CO, 15 Jan. 1900. Ranfurly had earlier been unable to propose any solution to the problems of distance, staff and finance, but he had advised Gudgeon that the appointment of Chief Justice rested with the Cook Islands. He also warned him that the combination of powers might lead to difficulties and expressed anxiety over the possible consequences of Gudgeon's having 'taken up' with the opponents of Moss. Both Ranfurly and Seddon were worried about the pace of legislation achieved on the basis of the Resident's present powers, and felt that changes should be more gradual. CO 209/258, Gov. to CO, 20 Dec. 1898.

23 Gudgeon wrote, 'It would seem to me that the Maori inhabitants ... fear that the very large powers conferred on the Judge by this Act should fall into the hands of those who are strangers to Maori character and in whom they have no faith'. AJR, 1899, A-3, Gudgeon to Gov., 6 Oct. 1898. Elsewhere he noted, 'The fact is that Mr. Moss could have done almost anything within reason so long as he retained the confidence of the people...'. GP, 662/A, p.6.

24 Ioi Karanga, 26 Nov. 1898, p.15
Moreover, Gudgeon had dealt summarily with 'the people that were [Moss'] associates' and who, Hakea said, 'did not wish well to the Maoris but were working for their own ends'. This in itself was a supportive factor which the ariki obviously saw as helpful in advancing their own interests - particularly since the new Resident made no secret of his distaste for Moss's 'fads' and promptly revoked the fines imposed upon them as a parting gesture of disapproval by Moss. For Hakea as head of the government, and for all the ariki, it seemed advantageous to cultivate, flatter and exploit the good offices of a prospective ally, who also appeared to acknowledge and understand both their high status and their aspirations. Finally, the berating they had received was in tune with the display of power and the hectoring that had characterized the visit of Prendergast. The lessons of Tahiti and Samoa were never far from mind. Nevertheless, they could not believe - or allow themselves to believe - that the Queen and her representatives wished them ill. In the circumstances, the ariki themselves invited Gudgeon to become Chief Justice of the High Court.

The influence which Gudgeon came to wield so powerfully and unobtrusively behind the sanctions of imperial authority served as an alternative to direct authority, and enabled him to reshape the other institutions which in his view needed attention.

Gudgeon's view of Cook Islands institutions

Gudgeon expressed a grudging admiration for Moss's Federation Act even though he thought it unsuited to 'a primitive people like the Natives of the Cook Islands'. For reasons of economy and efficiency, not to mention his own clearly defined ideas, he abolished the Island Councils, leaving the Federal Government (which really meant the Rarotongans) to administer laws throughout the group, and the bi-cameral Federal Parliament, the sole legislative body. However, he strongly disapproved of the elevation and

26 ibid.
27 GP, 662/C, p.3.
power of the *ariki* over the Lower House, which 'should' have been legislatively superior had it not comprised 'the mere nominees of the Arikis'. Despite his personal authoritarianism, Gudgeon was strongly committed to a democratic ideal. His aversion to the English aristocracy and class traditions was excited in Barotonga by a conviction that the *ariki* had abused their powers and become a parasitical burden upon the people. In his view

> the only possible benefit that a primitive community can desire from the protection of a civilized nation is that of good Government - which ensures that the man of no account shall have some show against the haughty chief.

Gudgeon believed that Moss, as an 'ardent follower of Sir George Grey', had perpetuated the New Zealand provincial system. This had resulted in a proliferation of legislative bodies which made 'each island well nigh independent of the federation'. In Moss's case, the analogy, if appropriate, was determined by the necessity of building separate and autonomous units into a larger national entity. Given *ariki* sensitivity and the scattered nature of the group, the provincial system was more appropriate to the Cook Islands than it had ever been in New Zealand - save when the nascent settlements were akin to islands by reason of their isolation and internal cohesion. The only way of drawing the islands and the *ariki* into a Federation had been to keep the *mana* of each intact, even though it had meant a certain amount of 'inefficiency'. By depriving the islands of real autonomy, Gudgeon severely restricted the means through which island resources and leadership could be brought to bear on the needs of each community in a manner attuned to its peculiar organization and tradition. This further isolated the islands by subjecting the new chain of authority to the vagaries of inter-island shipping, particularly as island representation in the Federal Parliament became more sporadic. Far from

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29 GP, 662/C, p.3.

30 ibid., 662/A, p.4

31 ibid., 662/C, p.3 'In other words there were eight Unrestrained Legislative bodies in action at one and the same time!...'. Gudgeon regarded these as 'illegal'.

increasing the participation of the 'man of no account' at the expense of the ariki, his whole system strengthened the position of the administration at the expense of both.

Gudgeon regarded the protectorate as 'an utter farce' for reasons more fundamental than those concerning the Moss misdemeanours. His more serious reservations concerned the apparent impermanence of the 'form of the Protectorate under which Great Britain had undertaken all the liabilities and could not even ensure good government...'. Though he cared little for the Parliament, he was, despite his usual confidence in handling them, wary of the ariki 'who might turn on me as they had on Moss'. He was dissatisfied with the position where, as Resident, he had no power to 'check these legislating infants' save the veto which, if ever-used, might provoke a reaction or bring his office into contempt. 32

Though he had blamed Moss and exonerated the ariki for the situation he found, Gudgeon himself had no long term answer save annexation because he was basically contemptuous of the islanders' abilities, and intolerant of the inefficiencies of a hybrid form of government through which ariki power would be perpetuated under British guarantees. 33 Nor was prolongation of the experiment in self-government to New Zealand's advantage. In the meantime, however, the theoretical disadvantage stemming from the lack of legally conferred powers were more than compensated for by Gudgeon's resourcefulness.

It was one thing to understand Polynesian society. It was quite another matter to act, on the basis of this understanding, in the interests of such a society. In the realm of administration and policy, Gudgeon clearly revealed the conflict between the principles of self-government (and therefore of Polynesian values) and 'good government'. By good government, apart from administrative efficiency, Gudgeon obviously envisaged a

32 GP, 662/A, p.6. Yet, in respect of Moss's complaint that he lacked power, Gudgeon said, 'I followed this man Moss and I can only say that I had more power than should have been entrusted to any man'. Ibid., 662/E, p.6

33 Gudgeon informed the chiefs of Atiu that he had seen 'no instance of that remarkable capacity for self-government which has been said to be a leading feature of the Cook Islanders'. He gave notice to them that 'affairs must be conducted properly' but felt that one of the main disadvantages was 'that these small islands should suffer from politics...'. Io/ Karanga, 17 June 1899.
redetermination and redistribution of the basis upon which 'traditional' authority rested in order to allow British constitutional democracy and values free play. 'Good government', in both the administrative and participatory sense, had nothing in common with 'native laws and customs' or self-government. Gudgeon was insisting on a level of democratic practice far greater than that obtaining in New Zealand and Britain at the time. Britain was still ruled by the Lords and the upper middle class. In New Zealand the domination of the legislature by the nominated Legislative Council had only just been broken, and the franchise had only recently ceased to be weighted in favour of the proprietor classes. Patronage was still a potent political instrument. What had been tolerable in New Zealand was apparently not tolerable in the Cooks. Moss, the alleged ultra- democrat, was in fact more tolerant of Cook Islands aristocracy and less guilty of double standards than Gudgeon. A ridiculous level of democratic observance and political continence was being required of a still viable island autocracy by a colony itself still resisting the full implications of what it preached. As with the Maoris in New Zealand, the answer lay in the difficulties which ariki authority and demands placed in the way of colonial requirements.

It had become increasingly apparent to Gudgeon that the political and social structure of the islands was inadequate for the achievement of new economic goals. A marked emphasis on economic considerations, at the expense of the political and educational, reversed the earlier protectorate emphasis on stable political institutions as the basis for economic expansion. The foundation of traditional power and social cohesion was the land. Gudgeon was convinced that land reform was the essential prerequisite for economic development and for his conception of social and political advancement. He believed that economic incentives would be provided if Maoris were given individual grants of land on which they could plant cash crops. But the 'feudal' monopoly of the chiefs over the land - and therefore over the economic potential of the islands - had first to be broken. Gudgeon's solution to the twin problems of incentives and ariki interference, influenced considerably by New Zealand Land Court policy and procedures, was stated in these terms:
Under the just administration of a strong government the lands of the islands should and would be nationalized, but the rights of the land-holders would be recognized so far that a certain amount of rent in all cases be paid to those who could make it clear to the High Court that they had a right to this consideration.  

At the same time he knew,

that whatever measure of justice the common people may receive will not come spontaneously from their own chiefs; it must be forced upon them by pressure from without the island.  

These measures would so obviously affect the power and prestige of the oriki that annexation was a prerequisite before the necessary action could be taken. Yet, although the chiefs were the major obstacle to reform, they were also the necessary agents for annexation. While cultivating their co-operation, Gudgeon forwarded his plans for their future subordination in confidential letters to Seddon.  

The visit of Governor Ranfurly to Rarotonga in April 1899, and a second Moss inquiry arising from the petitions presented to him there, precipitated the question of annexation once again. Irritated that the concerns of the Moss administration had not been decently buried, the Colonial Office finally concluded that annexation would now solve the problem of the Cooks and its own peace of mind. It therefore set out to 

34 CO 209/260, Gudgeon to Gov., 2 April 1900.  
35 ibid. Gudgeon also agreed with Moss that the encouragement of an element of greed would provide incentive, though he put it another way: "At the present day wealth means "mana" and if you have no money you have no mana". Iol Karanae, 17 June 1899.  
36 Gudgeon's 'open' despatches in the AJHR A-3 series also reveal this disparity.  
37 It is clear from the evidence in this Inquiry and in his own writings that Gudgeon was implicated in re-opening the case against Moss. Ranfurly had warned Gudgeon that 'the greatest impartiality and good sense' were needed in view of his 'extraordinary combination of power'. Other aspects of the case worried Ranfurly as there was proof that the Resident was 'not unbiassed'. Gudgeon, 'Autobiography'. Ranfurly to Gudgeon (private), 4 July 1899. See also CO 209/259, CO minutes on Gov. to CO, 25 Sept. 1899, enclosing papers relating to charges against Moss. This extended Inquiry reveals much about the nature of Rarotongan politics and personalities.
ascertain the current attitude of the New Zealand Government.

During his visit, Ranfurly listened to the grievances of the settlers - including the deportation orders against the pro-Moss faction ostensibly made under Ngamaru Ariki's name. Although he attempted to placate the various parties, those affected by Gudgeon's sterner measures were by no means reassured. Ranfurly himself was impressed by the evidence of factionalism and European antagonism towards Gudgeon. He was also shocked by the rawness of justice at Aitutaki where he reduced the number of police from twelve to four, dismissed the judge and appointed a European Resident Agent. His experience precipitated him into the pro-annexation camp. However, despite his newfound conviction, and his knowledge of official policy, he found it expedient to deny categorically any suggestion that his visit was 'intended as a preliminary to the annexation of the Cook Islands'.

But Gudgeon's task was not proving as easy as he had anticipated. His European opponents had petitioned the New Zealand Parliament over their grievances and the Auckland papers were attacking him. In the islands, the Moss inquiry had instilled a 'feeling of dread' as to who would be 'the next victim' at the same time that it indicated that 'Colonel Gudgeon evidently has some assurance of his programme being upheld'. Gudgeon was experiencing the factionalism, the petty defalcations and administrative

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30 CO 209/259, cable CO to Gov., 15 Nov. 1899.

39 MP, 215, Banks to Moss, 23 May 1899, in which he says the deportation issue was aired in the Auckland Star and the Melbourne Age. See also NZH, 8 and 20 April 1899.

40 MP, 215, Banks to Moss, 17 June and 15 Sept. 1899. 'He seems to have promised everyone what they wanted and gone back on all he said'. On a more personal level, Ranfurly raised island eyebrows by 'taking a fancy' to a Mrs. Rice and by his drinking habits.

41 CO 209/259, Gov. to CO, 4 May 1899.

42 ibid., enclosing report of his speech in NZH, 1 May 1899. Ranfurly also authorised Gudgeon to deny any suggestion of annexation.

43 MP, 215, Banks to Moss, 7 Oct. 1899.
worries that had beset Moss, besides, which, some of his supporters were bickering among themselves or, temporarily, with him. Although Ranfurly had warned the Premier that Parliament should not receive the petitions, the Speaker had accepted them. This not only created the situation that Ranfurly feared, for both he and Seddon had warned Gudgeon not to proceed too hastily; but it further increased the resentment and resistance of the ariki to settler demands or to moves which might seem to have settler backing. By now, settler complaints about Gudgeon's powers were intermingled with demands for New Zealand Parliamentary representation and annexation. Finally, a letter from the ailing Exham was sent to the Colonial Office charging the Resident with various miscarriages of justice. This agitation again highlighted the deficiencies of a judicial system in which the lack of provision for appeal from judgements of the High Court was a major cause of concern. Renewed discussion of the problems involved also demonstrated the gap between the desire of the authorities to introduce 'necessary' institutions, and their ability to make these work in a situation where they were reluctant to provide either the requisite finance or expertise. Though he had genuinely believed himself to have been impartial in the exercise of his overlapping roles, Gudgeon left himself open to the same criticism he had made of Moss:

44 Mr. Koha was said to have remarked that 'he had openly done his best to get Moss away and now we have a worse man in his place'. ibid., 28 Oct. 1899. Makea was also resisting a Gudgeon appointment to her Court and complaining that 'she was nobody in their hands and had to sign what they told her to'. ibid., 15 Sept. 1899.

45 Note Makea's letter to NZH, 17 Nov. 1899. Though most of the settlers and missionaries were in favour of annexation, Banks was sceptical of the benefits. He believed that, even if Gudgeon were removed, his policies would remain.

46 CO 209/259, Exham to CO, 1 Sept. 1899, enclosing two press clippings. Exham accused Gudgeon of 'slanderings' Moss in the government newspaper, and, apart from any current injustice, alleged also that Gudgeon, together with James Carroll and another M.P., H.P., Wai Pero, had been implicated in some shady land deals when Gudgeon was a Land Court Judge. See, however, Alan Dudley Ward, 'The History of the East Coast Maori Trust', unpublished B.A. thesis, Victoria University of Wellington, 1950, Chs.I, III, and IV for the legal complexity of Trust Board transactions.

... it is better that the foundation of justice should be corrupt, but believed to be pure; than that they should be pure but believed to be corrupt! The prejudices and beliefs of the masses cannot be safely ignored, when shared in by Government and the most intelligent among the Europeans.

This willingness to accommodate the opinions of Europeans had its drawbacks. The presence of small, vocal, fractious and financially significant settler groups - impatient and sometimes contemptuous of Maori authority - had once again demonstrated their ability to complicate the relationship between 'official' and chiefly authority. Despite Gudgeon’s attempts to establish an aweful presence and his adroitness in playing off one group against another, they had almost succeeded in undermining his position. One of the fundamental weaknesses of the Protectorate stemmed from the obligation imposed upon the Resident to protect not only the persons, but also the lawful commercial interests, of British nationals. This produced tension between islanders and the needs and ambitions of a minority who, in Maori eyes, were merely visitors to their soil.

Gudgeon was saved from the possibility of an official inquiry - and from emulating the fate of his predecessor - by the timely assertion of a counter opinion. Banfurlly advised the Colonial Office that Gudgeon was confident that a petition requesting annexation could be expected at any time.

GP, 662/C, p. 19, Gudgeon quoting Sir E.Creasey. The question of European intelligence was, of course, complicated by the matter of European loyalties. Suspicions about Gudgeon’s impartiality in the case of Makea Daniela (Ross’s paymaster) would hardly have been allayed by the following diary entry: ‘The interference of old Moss has cost Jimmy [M. Daniela] dear he was sent to Manuae Island on the 8th and today Makea at my instigation has called the Mataiapos together and has taken away the title and lands of Vakatini [i.e. Daniela] from him. It was the only method of dealing with Moss and his adherents’. Diary/Scrapbook, 11 April 1900, p.13.

CO 209/259, Gov. to CO, 24 Oct. 1899. Gudgeon had requested authority to hoist the British flag. Along with other suggested reforms he had recommended that the Federal Parliament be kept in existence until all the islands were annexed,
In April 1900, Gudgeon forwarded a petition to the Governor from Makea Takau of Rarotonga and her husband, Ngamaru Ariki, paramount chief of Atiu, Mauke and Mitiaro, requesting incorporation of the southern islands within the British Empire. As a result of their displeasure at the hearing given to the petitions of 'disgruntled Europeans', no mention was made of New Zealand. Without any elucidation of this point, Ranfurly informed the Colonial Office of the new development, stating that Seddon was ready to place a recommendation before Parliament for 'assumption of the expenses of the dependency' but, before doing so, would consult the chiefs while on a 'health cruise' he intended to take around the islands. The Colonial Office thereupon authorised Seddon to negotiate the terms of annexation which would be subject, however, to the approval of both the New Zealand Parliament and the British Government.

In the Cook Islands, Gudgeon was certain that the opposition of the ariki to New Zealand would die down; he continued his policy of wooing them whilst formulating his post-annexation reforms and development programmes.

Contrary to the undertaking given to the Colonial Office, Seddon avoided any reference to annexation, or land reform, when he visited Rarotonga in June, and, in the presence of the ariki, rebuffed the mainly European signatories of a petition requesting it. Instead, he exerted himself to soothe the ariki and in his talks concentrated on the practical

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50 CO 209/260, Gov. to CO, 10 May 1900 (cable); 11 May 1900 with enclosures.
51 loc. cit. Few were willing to believe the cruise was for health reasons alone - see NZH, 17 May 1900 - though Seddon's prodigious capacity for work was taking its toll. Gudgeon said: 'the papers have it that he comes here on annexation business which of course he does though they cannot know it...'. Diary/Scrapbook, 20 May 1900, p.15.
52 CO 209/260, CO to Gov., 16 May 1900. Ranfurly's letter to Seddon conveying this authorization to 'arrange the terms on which [the ariki] agree to these islands to come directly under the Crown, to become an integral part of New Zealand', missed Seddon who had left on his cruise. Gll/5, Gov. to Premier, 19 May 1900 (confidential).
53 CO 209/260, Gudgeon to Gov., 8 June 1900.
54 ibid., Gov. to CO, 7 July 1900, enclosing European Residents of Rarotonga to Premier, May 1900. News of Seddon's statements had got back to the islands. Among the petitioners were those residents who had lately placed their complaints before the New Zealand Parliament. The ariki had been consistently suspicious of European ambition and the substance of Banks' comments about one of the leading petitioners would have served to reinforce their attitudes: 'Shearman has set his heart on annexation and on being the first MP and he makes no secret of it'. MP, 215, Banks to Moss, 8 Sept. 1900.
benefits and the means by which New Zealand might assist in the development of the islands. 55

He also raised the bogey of Chinese immigration:

If the Chinese come here in large numbers it means the deterioration of your race. They bring evils amongst you worse than the plague... I would rather see a case of plague here than see a hundred Chinamen land. They bring leprosy with them, gambling and immorality, and opium smoking... Restrain them: copy the Act of New Zealand and be safe. In their quarters you see filth; in their habits they are dirty. 56

On his return, the Premier made only vague references to a political and economic 'confederation' of New Zealand and the island groups of the central Pacific. 57 However, urgent negotiations were resumed with the Colonial Office. In forwarding Seddon's report of his tour, Ranfurly advised that the New Zealand Government was prepared to annex the Cook Islands as this now appeared 'welcome' to both Europeans and Maoris there. 58 Discarding the role of suppliant for that of benefactor, Seddon attempted

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55 See Edward Tregear, The Rt. Hon. R.J. Seddon's Visit to Tonga, Fiji, Savage Island and the Cook Islands, Wellington, 1900, pp.329 ff. and the Appendices which include verbatim reports of discussions. Also AJHR, 1901, A-3, Gudgeon to Gov., 10 Aug. 1900 and enclosures.

56 Tregear, pp.427-428. There were already some Chinese traders on Rarotonga, several of whom had signed the petition to Seddon. However, the Cook Islands Asiatic Restriction Act 1900 had already been passed. The preamble closely resembles Seddon's dissertation. Later, in 1900 the Parliament imposed a poll-tax on Chinese. For a study of New Zealand attitudes and legislation regarding Chinese see P.S.O'Connor, 'Keeping New Zealand White, 1908-1920', NZII, Vol. 2, No.1, April 1968, pp. 41-66.

57 See NZH, 15 June 1900. Seddon claimed that New Zealand had prevented the Cooks from going to a foreign power. See also ibid., 16 and 19 June.

58 CO 209/260, Gov. to C0., 7 July and enclosure. He also expressed the need for urgency lest Makea die and problems of succession intervene, adding that Gudgeon needed annexation to effect improvements in the islands.
to manoeuvre the Colonial Office into the position of requesting New Zealand to 'accept responsibility' for the Cooks. For the moment, the Colonial Office disregarded the implications of this ploy - which would have given Seddon some assistance in case he received no mandate from the ariki. But, without waiting for evidence of confirmation by the ariki previously insisted upon, it indicated its satisfaction with Ranfurly's report and stated that negotiations could proceed towards annexation on condition that New Zealand could give 'reasonable guarantees' for the protection of Maori rights. The requested guarantees comprised the protection of native land 'to prevent reckless alienation to Europeans' and an enquiry as to whether representation of the Cook Islands in the New Zealand Parliament was contemplated. Neither point was presented as mandatory.

The New Zealand Government replied that, in order to safeguard native interests, a land court would be established - similar to that in New Zealand but modified to suit local conditions; each 'owner' would receive a Crown grant, land being alienated only through the Crown 'as provided under the Treaty of Waitangi'; and, finally that the Cooks would have representation in Parliament. On this basis, the Colonial Office consented to annexation and, admitting that it was 'pledged' to hand over the islands to New Zealand anyway, proceeded to discuss the case of Niue.

New Zealand's cabled guarantees were followed up by a six-point elaboration of them. Seddon explained that the 'arikis have set up a feudal ownership asserting rights to the whole of the Islands' which his

59 ibid., Seddon to Gov., 6 July 1900 (confidential); Gov. to CO., 7 July 1900.

60 ibid., CO minute on Gudgeon to Gov., 7 July 1900; CO to Gov., 15 Aug. 1900 (cable).

61 ibid., Gov. to CO., 20 Aug. 1900.

62 In Niue, the people's attitude to annexation was not known, but the Colonial Office pointed out that, having understood little of the constitutional issues involved in the proclamation of the Protectorate, the Niueans had not objected when the flag was raised. Ranfurly was given authority to ascertain their views and to act accordingly. ibid., CO minutes on Gov. to CO., 20 Aug. 1900. Some years before, the LMS missionary, W.W.Gill, had claimed that the Niueans welcomed British protection as they hated the French. CO 209/249, Gill to Gov., 1 Jan. 1889.
government could not sustain or even admit had any valid basis, lest it also thereby accept that the majority of the people would be landless. He pointed out that the Land Court would therefore require great powers to assert a new principle in opposition to ariki claims and it would need to proceed as the New Zealand court had done. Ranfurly emphasised also the necessity of 'fixity of tenure' to safeguard the projected agricultural enterprises. Despite some confusion on the subject, the Colonial Office indicated its general agreement with this principle. It added, with more than a touch of cynicism in view of the fate of the Treaty of Waitangi and the numerous current petitions from New Zealand Maoris concerning their land, that 'Her Majesty's' Government have confidence that the Land Court will make liberal provision for native land interests'.

These conditions show a remarkable indebtedness to the ideas of Gudgeon as set out in annual reports, despatches and letters to Seddon. About this time Gudgeon had written to Seddon reporting plans for development and postulating annexation, once again, as a prerequisite:

... the future prosperity of these islands depends entirely on their annexation to New Zealand for so long as the Arikis are supreme so long will the small people be no better than slaves... I feel very strongly on this point but I need hardly tell you that I do not let the Arikis know my views for if I did they would never consent to annexation.

63 CO 209/260, Gov. to CO, 21 Aug. 1900 (secret), enclosing Seddon to Gov., 18 Aug. 1900. Another alternative considered was to pay the ariki a guaranteed sum to concede all their rights, the Crown taking the land on condition that all the Maoris were given sufficient for their use and occupation, with some land to be made inalienable. 'This is, however, a matter of detail', Seddon had added.

64 ibid., CO minutes on Gov. to CO, 21 Aug. 1900 (secret); CO to Gov., 7 Nov., 1900. The CO minutes included the comment that, as the Maoris knew nothing of individual ownership, 'any change should be made gradually', but this caution was not communicated to the Governor. The position was extraordinary considering the recent report of Maori grievances aired at the meeting of the Maori Parliament at Waitangi in 1899. (CO 209/259, Ranfurly to CO, 5 April 1899 with enclosures).

65 SP, 60/48, Gudgeon to Seddon, 10 Aug. 1900 (confidential).
Although their April petition had ignored New Zealand, and no further negotiations had taken place with the ariki, Ranfurly assured the Secretary of State on 11 September that the Rarotongan people understood annexation. In addition he asked whether the British order-in-council, by means of which the islands would be included within the boundaries of New Zealand, might precede the assent of the New Zealand Houses of Parliament, lest other nations see what was happening before the process was completed. Anxiety about the French was not the only motivation for this request. Seddon was aware that, although a more favourable attitude on the part of the ariki was being cultivated by Gudgeon, he had received no mandate from the Rarotongans in June and the position was somewhat precarious because of Makene's health. In addition, he may not have been confident of a quick decision by Parliament, for, in expressing the view that prior reference to it was unnecessary, he added that this might only evoke doubts that do not exist. The Premier was acutely aware of the number of times his imperial aspirations had been thwarted: he was now racing against time and he was, besides, the kind of politician who preferred a fait accompli. To this end, though aware of Colonial Office stipulations, he attempted to persuade Ranfurly that the discretionary powers vested in him with regard to Niue applied also to the Cooks. He argued that it would be sufficient Your Lordship stating that I am going to accompany you... without saying anything as to policy...the policy having been settled.

Secrecy was therefore necessary in order to effect annexation without further Cook Islands, Colonial Office or domestic complications. Secret communications were sent to Gudgeon late in September, asking him 'to prepare the people quietly so that there will be no difficulty or disagreement.'

66 CO 209/260, Gov. to CO, 11 Sept. 1900. Ranfurly had reported that the French consul had been upset at rumours of New Zealand annexation. (ibid. Gov. to CO, 11 May 1900) Gudgeon had proposed a similar course of action. SP, 60/48, Gudgeon to Seddon, 4 Sept. 1900.

67 G11/5, Seddon to Gov., 11 Sept. 1900. He also had to contend with a group of 'radicals' within his own party. See Beatrice Webb. op.cit., p. 151.

68 G11/5, Seddon to Gov., 11 Sept. 1900.

69 ibid., Alexander (Gov's A.D.C.) to Gudgeon, 23 Sept. 1900 (secret); Gov. to Gudgeon, 25 Sept. 1900 (secret telegram).
But the Colonial Office refused to be manipulated into allowing Seddon the indulgence of 'accepting responsibility' for the Cooks in the 'British interest', or of evading the parliamentary consent which he had promised, and which was, in any case, required under the Colonial Boundaries Act of 1895. 70

In the meantime, Gudgeon reported that as a result of his efforts, particularly with Makea, a meeting of the ariki was shortly to be held at which he thought they would support annexation on the terms he proposed. 71

As predicted, four days later he was able to forward a second petition from the ariki requesting incorporation within the British Empire as part of New Zealand.

Of the tactics he used to gain this petition Gudgeon said:

I first sounded Makea and Ngamaru, and found that they were decidedly in favour of the idea of annexation, but Makea warned that it would be just as well not to say anything to Tinomana, her words being 'when the time comes there may be opposition but they must all give into me as they did over the protectorate'. I... knew she had in mind the fact that Tinomana was married to that Maori White Salmon who would probably oppose annexation, and I therefore acquiesced. 72

Pa Ariki was 'sounded' next. Gudgeon reported that he was doubtful and wished to consult his mataiapo, a customary and natural reaction for which Gudgeon condemned him as being 'like all missionary Maoris', 'a shuffler'. Little further was said to Pa as Gudgeon thought that 'this

70 CO 209/260, CO to Gov., 14 Sept. 1900.

71 ST, 60/43, Gudgeon to Seddon, 4 Sept. 1900. Gudgeon also noted on 26 Aug. 1900, '... Seddon writes urging me to settle the terms of annexation so as to bind the people to their engagements'. On 4 Sept. he wrote: 'In accordance with Seddon's suggestions I saw Makea and fixed the 6th inst. for a meeting of arikis ; find the old lady and Ngamaru very ready to fall in with my suggestions'. Gudgeon, 'Diary/Scrapbook', p.23. The extent to which Makea had been won over was apparent in her speech at the opening of the Parliament on 1 August 1900 in which she advocated a number of proposals put forward by Gudgeon and Seddon.

72 ST, 60/3, Gudgeon to Seddon, 29 August 1900. Gudgeon refers to John Salmon who married Tinomana against the wishes of Makea whose relative she was. See BP, 188/51, 'Rulers of Rarotonga'. Salmon had relatives in Tahiti and, on principle as well as because he had married into the Rarotongan aristocracy, he opposed annexation. His attitudes softened after Seddon's visit.
annexation would have to be carried out boldly and in such cases the invitation having come from the two leading Ariki's, no malcontent would have said a word. 73

On 6 September, Gudgeon met the ariki and placed [his] view of the case before them and made suggestions as to the stipulations for the future government of the islands. 74 He said that Fa and Karika joined Makea and Ngamaru in agreeing that the letter inviting annexation under the terms he had suggested should be written. Though Tinomana hesitated and wished to consult her mataiapo and rangatira, she nevertheless signed the papers Gudgeon had prepared.

It is obvious that there was misgiving on the part of some of the ariki. What these were have not been precisely stated but Tinomana's attitude seemed to indicate that the chiefs continued to have reservations about the wisdom of changing a situation that afforded them British protection and self-government and were concerned about the future status of the islands. They must also have been aware that Gudgeon's negotiations had been conducted through Makea and that, as Head of Government, she was perhaps overly dependent on him. They may therefore have suspected her motives and feared that her position might be enhanced relative to their own. These reservations could only have been overcome by pressure and assurances that a change in status would not only safeguard Cook Islands interests but increase their own prestige and power.

The text of the petition was as follows:

We the Ariki of Rarotonga, together with Ngamaru Ariki, who represents the islands of Atiu, Mauke and Mitiaro, being assembled

73 SP, 60/3, Gudgeon to Seddon, 29 August 1900.

74 Gudgeon, 'Diary/Scrapbook', 6 Sept. 1900, p.23. These suggestions were contained in five points: 1. That the Parliament should be abolished and a Council of Ariki should take its place. 2. the land rights of the people should be held sacred. 3. northern islands to be annexed to the group. 4. appointment to the Public Service to be subject to the approval of the Ariki - no office to be dispensed with except with the approval of the Ariki. 5. to be annexed to Great Britain and federated with New Zealand. The last point mentioned accounts for some of the confusion in the islands later over annexation and the relationship to New Zealand.

75 loc. cit.
in Council at Avarua, in the island of Rarotonga, on this 6th day of September, 1900, do hereby petition His Excellency the Governor of New Zealand to annex the Islands of Rarotonga, Atiu, Mauke and Mitiaro to the British Empire. And whereas we are of the same race as the Maoris of New Zealand, and all our trade is with those islands, we are willing to become part and portion of that colony; Provided always -

1. That the Parliament of the Cook Islands shall be abolished, and in place thereof a 'Council of Arikis' under the Presidency of the British Resident, with Makea Ariki as Chief of the Government, shall be substituted.

2. That the land rights of the people of these islands shall not be vitiated by annexation, and if any question arise hereafter as to those rights, such question shall be submitted for the final decision of the High Court of the Cook Islands.

3. We ask His Excellency to use his influence to the end that the following islands may be included in the federation with New Zealand, viz.: Pencryn, Manihiki, Rakahanga, Palmerston and Pukapuka (Danger Island) and, if possible, Niue. We ask this because the inhabitants of the islands in question are of the same race as ourselves, and are, we believe, already British subjects.

4. And whereas the Legislature and Government of the Cook Islands have already the criminal law of New Zealand as a guide to the High Court, and have passed certain statutes suitable to the requirements of this small community, we ask that such statutes as shall be found in accordance with the spirit of English law shall be respected, and that the general law of New Zealand shall be introduced as required and adopted by the Council of Arikis.

5. And whereas the administration of the Cook Islands has hitherto been conducted with the utmost economy, all official appointments to the public service hereafter to be made shall be subject to the approval of the Island Council, and no public officer shall be dispensed with without the same approval.

However, Gudgeon himself sounded a warning which must be taken into account in an analysis of the petition. After Tinomama had been persuaded to sign, Gudgeon commented, 'but when the letter is written in Maori there will I know be trouble.' Gudgeon had prepared the petition in English for signature at the same meeting as his verbal (or written) points were

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76 AHGR, 1901, A-3, p.15, Gudgeon to Gov., 8 Sept. 1900 (enclosure).
77 Gudgeon, 'Diary/Scrapbook', 6 Sept. 1900, p.23.
to be discussed (6 September). The petition went further than these by including reference to Makea as Head of Government, the introduction of New Zealand laws, the arbitration of the High Court in land disputes and the incorporation of Niue; while control by the Island Council was submitted for that of the ariki in regard to public servants.

**Interpretation**

There are several possible interpretations of what occurred - most of them based on slender evidence. It is impossible to know in what form Gudgeon's suggestions were put before the ariki, the full nature of the discussions, or whether Gudgeon's notes were merely abbreviations of four of the five conditions. Gudgeon could have misled the ariki as to the contents of the petition; or told them less than was in it; or explained the most innocuous conditions and then relied upon Makea, in his short absence from the meeting, to push things through and persuade the others to sign the letter before there could be any second thoughts or a translation prepared. If, as he suggests, the ariki were induced to sign a document that had not been discussed fully and the contents of which they could not verify, this was gross deception. The alternative explanation, which must also take into account this last point, is that the proposals Gudgeon put forward were discussed and the petition interpreted from the viewpoint of ariki self-interest; and that the discrepancies or elaborations, with one major exception, are explicable in these terms. This seems to be the most likely alternative on the basis of internal evidence and Gudgeon's own plans. In formal terms, what the ariki wanted was basically what Gudgeon himself wanted.

What the ariki expected from these conditions is fairly obvious. A Council of Arikis would assert the paramountcy of ariki authority. Though the lower house had been brought under ariki influence, their nominees were sometimes recalcitrant. Abolition of this body would therefore ensure that the Council would inherit legislative as well as executive powers. Aided by an understanding and capable Resident, the chiefs would then be free to redetermine the nature and extent of government in ways which would bolster and consolidate their own authority. If Gudgeon had discussed the idea of federation, they would have interpreted the introduction of New Zealand laws as being quite clearly subject to their control and veto.
This provision and that relating to the public service would therefore have been seen as a necessary extension and protection of ariki governmental authority.

Given their expectation that self-government would continue, the land rights clause was a reassertion of the principle of non-alienation that had been maintained throughout the mission period. That the land rights of the people would not be vitiated by annexation would also have been taken to mean that control and regulation of land would remain with the ariki and mataiapo. An attempt had already been made to establish a precedent for referring land matters to the High Court, but it is more than possible that the formal inclusion of this point in the petition was not authorized. It would not have been conceded willingly unless there were personal assurances from Gudgeon that it would not detract from the usual methods of conciliation or the authority of the Ariki Courts.

The one major exception to an interpretation that otherwise seems to fit concerns the future status of the islands, and the kind of association to be formed with New Zealand as it was expressed in the preamble to the petition. It is almost certain that ariki reservations centred on this question and that they did not intend or understand that the islands would be annexed to New Zealand. It is on this matter that Gudgeon's concern as to the repercussions must be taken most seriously, both as an indication of his own initiative and as confirmation of ariki fears, since

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78 The earlier initiative in this matter had been taken in ordinances enacted for the various islands by Federal Parliament as part of the process of cleaning up the laws and regularizing the situation arising from the abolition of the separate island governments. See 1899 and 1900 legislation in AJHR, 1900-01, A-3. Use of the High Court for this purpose, however, depended in large measure on the co-operation of the ariki. The acknowledgement in the petition of the High Court as the official arbiter is a different thing from the voluntary recourse to avenues provided in the earlier legislation which the ariki felt they could change or use to their advantage.

79 This contained the more explicit relationship with New Zealand and was not one of Gudgeon's five brief points (see footnote 74 above).

80 This view is based on attitudes the ariki had previously expressed and their later complaints in 1903 and during the 1911 Inquiry which will be discussed later.
the main burden of his persuasion had been to win the ariki over to some formula that would facilitate annexation to New Zealand. Accent on incorporation within the British Empire, to which the chiefs were well disposed, must have been stressed at the expense of explaining the constitutional implications of becoming part of New Zealand. Gudgeon's drafting of the preamble contained the formula necessary for New Zealand purposes, but it was one to which he knew the ariki would object because it would not be capable of explanation or action in terms of the federal principle he had proposed.

It appears likely that the ariki had long had in mind a Tonga-like situation in which the islands, British-protected but self-governing, would establish trading and friendly relations with New Zealand. Ballance's earlier attitudes would have predisposed them to think in terms of these looser ties. If this is so, Seddon's tactical avoidance of the subject of annexation and his stress upon altruistic, virtually no-strings-attached offers of assistance, would certainly have confirmed their views. Similarly, Ballance's recommendation that the islands should remain self-governing in any relationship with New Zealand, would have been taken for granted at the time of the petition. The ariki would therefore have expected that closer ties with Britain would improve their situation and confer a status equal with that of New Zealand.

For the ariki, therefore, the petition was a means of enhancing their prestige and authority in propitious circumstances. Self-government and the four vital clauses - those relating to the Council of Ariki, land rights, control over the introduction of New Zealand laws, and over the public service - were to be the mainstay of a new era. But these clauses were also the keys to New Zealand's future policies.

In his brief covering memorandum to the Governor, Gudgeon restricted his comments to the claim that there was an 'absolutely unanimous ...

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81 It has not been possible to ascertain the Maori word or term used for 'annexation', or indeed for the concept of sovereignty at the time of the declaration of the Protectorate.
desire for annexation. However, in a confidential letter to Seddon, he added:

The stipulations are ... very natural and I think you will find no fault with them, but it has been rather embarrassing for me for they [the ariki] have trusted me in everything so that I have had to act for both parties.

Gudgeon’s embarrassment is understandable. Not only had he succeeded in gaining ariki acceptance of the association with New Zealand, but the very terms of the petition which appeared to secure their authority were so cleverly drafted as to provide a framework for the advancement of policies already formulated. He had succeeded in keeping from the ariki Seddon’s conditions and the planned post-annexation reforms, particularly those relating to land and the proposed Land Court. However, with the High Court agreed upon in the petition as the final arbiter in land disputes and a Land Board already in operation, the transition to a Land Court would be relatively simple. The request for the abolition of the Parliament in favour of a Council of Arikis under the Presidency of the Resident appears to approximate to the course that Gudgeon thought Moss

62 AJIR, 1901, A-3, p.15, Gudgeon to Gov., 8 Sept. 1900 enclosing petition. He wrote: "... the Mataiapos and Rangatiras have endorsed the action of their Arikis, and therefore the inhabitants of this island may be said to be absolutely unanimous in their desire for annexation. The inferior people have not, of course, been asked for their opinion on this question; but I am in a position to say that they are more in favour of annexation than any other class, since they hope to benefit by the change". Ngamaru Ariki had signed on behalf of Atiu, Mauke and Mitiaro, and Gudgeon stated that he believed that Mangaia would "fall into line". Aitutaki had been annexed earlier.

63 SP, 60/44, Gudgeon to Seddon, 8 Sept. 1900. In his article, 'Negotiations Leading to British Intervention in Rarotonga (Cook Islands)', JSANZ, Vol. 7, No.25, p.74, R.P. Gilson stated that 'Gudgeon seems to have taken no credit for the terms of cession which the chiefs now demanded...'. It is evident from the Gudgeon material that Gilson did not see, that this was not so. However, neither Gudgeon nor Seddon were in a position to claim any credit for the petition officially.
should have taken as a means of controlling the ariki. 84

Moreover, a means of introducing New Zealand laws was essential for the trade and customs legislation envisaged and as an additional means of checking 'these legislating infants'. The public service provision was 'based on the belief that the new appointees would be paid from Cooks Islands funds'. 85 But it also ensure that control of the public service would remain an internal matter and an insurance against possible metropolitan bureaucratic influence, particularly as it was by no means certain whether the Resident's close association with the Premier and Governor would continue. 86

The ariki had thus been persuaded to use means which would, according to Gudgeon's theory, favour the 'common people', but which, in practice, could be used against themselves by a Resident who had every

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84 He believed that, by creating a lower house, Moss had lost the opportunity of controlling the ariki:

It was not advisable that the Arikis should do more than appear to govern, and Mr. Moss by creating a lower house, lost all chance of controlling the Arikis, the very people who required control, for they could now block any measure they did not like by means of their nominees in the lower house, and, if spoken to could shrug their shoulders and say, 'this is the work of your parliament'. GP, 662/C, p.3.

Gudgeon was also becoming increasingly irritated with the lower house. 'There is an element of trouble about this parliament. They will try and assert themselves one day and then I must squeeze them flat'. 'Diary/Scrapbook', p.22 (15 Aug. 1900).

85 Gilson, 'Negotiations', p.74.

86 As Gudgeon had originally conceived the point, it looked as if he were attempting, through the ariki, to safeguard his own position.
intention of falling heir to their impaired authority. 87

The extent to which ariki opinion changed in respect of some form of relationship with New Zealand was brought about also by the inducement of financial and other aid from the Colony, and by careful use of the goodwill engendered by Seddon's visit. Gudgeon had been assisted in this task by some of the Europeans with whom he had replaced the public servants dismissed after Moss had left and by the support of the missionaries. The island had been swept by a wave of Seddonomania in which many tenderly-nurtured differences were temporarily forgotten. Seddon sent back signed photographs of himself and even that arch-enemy of Residents and officials, Tinomana's husband Salmon, received his with effusive thanks. The Premier's patriotism was also infectious. After his departure, committees were established for the succour of Boer war widows and orphans. Gudgeon must have been particularly shrewd in countering rumours of the impending annexation for, in spite of the attempts of secrecy, there was speculation not only by the French, but also at Barotonga as the petition to Seddon from the European residents demonstrated — and even before that.

87 This interpretation of the terms of the petition appears most logical when consideration is given to the circumstances leading to their presentation. The matter, however, has been the subject of some confusion. Ross, New Zealand Aspirations, p.265, describes the terms as a 'curious mixture of what Gudgeon wanted and special powers sought for themselves by the Arikis', but he does not explain this. Gilson, 'Negotiations', p.74, states that in view of the conflict 'in some respects' between the terms and the ideas of Gudgeon and Seddon, 'the position was extraordinary'. He explains this by reference to the fact that the ariki had been kept in ignorance of these ideas; but he was unable to take into account Gudgeon's prior indication that the terms were those he himself had proposed, and the light this throws on his intention to Seddon that he would 'find no fault with them'. The main point of the interpretation presented above is that, given the degree of influence Gudgeon had succeeded in exerting over the ariki, both he and Seddon believed there was little to be feared from their apparent retention of authority. What the ariki wanted as a means of enhancing their authority was what Gudgeon wanted as a way of controlling them. The terms of the petition are important insofar as legislation was based on some of them (in Gudgeon's favour) but, from New Zealand's immediate point of view, annexation proceeded without reference to them except that the preamble legitimised the arrangements already agreed upon.

88 SP, 60/44, Gudgeon to Seddon, 8 Sept. 1900; CO 209/256, Gov. to CO, 20 Dec. 1898. The main concern of the missionaries was to ensure the continued strict control of liquor and to protect the titles to mission properties. See SSL, 114/21, Thompson to Hutchins, 10 March, 1900.
among some of the settlers whose welfare was closely associated
with an analysis of the Resident's activities. It is therefore clear
that Gudgeon was instructed to 'prepare the people quietly' in case
they discovered the true situation before the debate took place in the
New Zealand Parliament. The ariki remained unaware that plans for
annexation were already proceeding, and although, once again, no
negotiations took place on the terms of their second petition, they must
have believed that annexation had come about as a result of it.89

89 The present Makea Niu Ariki, Teremoana, has referred on several
occasions to the major role of her grandmother in ceding the
Cook Islands to New Zealand. See the self-government constitutional
discussions in Proceedings of the Legislative Assembly of the Cook
The parliamentary debate

When Cabinet met on 18 August 1900 to consider the land and other guarantees for the Cook Islanders requested by the Colonial Office, only four Cabinet Ministers, besides Seddon, were present to sanction the various points intended as the basis for future policy. In the negotiations that followed this meeting, the Premier's attempt to have the annexation proclaimed before the matter was referred to Parliament was rejected. Consequently, on 26 September following receipt of the second ariki petition, a draft resolution approving the annexation was presented to both Houses without notice. Relatively few members were present to debate the proposal and the suspension of standing orders enabled the resolution to be carried in one late sitting. When some Opposition members questioned the necessity of proceeding with such haste, Seddon exploded:

"Necessity!" There is the cruiser Mildura in our harbour buoyant and ready. Her engines are throbbing. She is tearing at the hawser. She wants to get away as the messenger of peace and expansion. What is her mission? Her mission is to help you, to help this colony, and to help the Empire; and then honourable members are so dense as to say they do not understand the necessity. I cannot believe but that honourable members thoroughly understand that, in a case of this kind, delays can be dangerous.

Foremost among the arguments advanced by Seddon and his colleagues was that annexation was a step towards the partial fulfilment of the Pacific destiny of New Zealand foreseen by political prophets since the time of Grey. An island federation with New Zealand as its centre had not materialised because of a failure of the British imagination. On this subject Seddon indulged his sense of grievance by reviewing the losses to Empire and the 'short sighted policy of the Imperial Government'.

1 G11/5, Cabinet Minute, 18 Aug. 1900.
2 A caucus of the Liberal Party was held prior to the introduction of the resolution so that Government members had some warning which was denied the Opposition. The summary of the debate which follows is based on NZPPD, 1900, Vo.114, pp.387-426 (HR) and pp.348-352 (LC).
3 Ibid., p. 423.
He claimed that New Zealand had barely forestalled the French in the Cooks. Strategic concerns and an uneasiness about the growth of the Australian nation were important elements in Government thinking.

On the other hand the manifest benefits to the colony were the consolidation of the racial unity of the Maori; the mutual advantages of increased trade; and the prospects that a rich, self-supporting group of islands opened up for European enterprise. Seddon stressed the point that financial aid, apart from that already promised, would not be necessary.

After having had the September petition read out by the Clerk of the House - as it had not been printed for the debate - Seddon made only slight reference to its terms. He said that the ariki of a 'feudal society' wished their interests preserved and, having assured the House that there would be no change in the method of control through the Governor, he added 'and you can give them with slight modifications, their Local Government which they ask for in the petition'. Seddon then proceeded to outline in greater detail the undertakings given to the Colonial Office. These he described as 'reasonable terms'.

Without prior notice of the debate, few Opposition members were present but their criticism, though self-interested, was sustained and penetrating. In addition to condemning the manner in which the subject was being handled in view of its intrinsic importance, they cast doubts on the trade benefits to be expected, the ability of the islands to support the kind of administration and services that would be necessary for a dependency, and the wisdom of annexation in view of the colony's resources. They referred also, no doubt with Samoa in mind, to the difficulties of defending the scattered islands and to the possibility of internal dissension.

4 See also NZH, 15 June 1900 - news item from Sydney.
6 Following disturbances in Samoa in 1898 and in anticipation of more trouble, Seddon had offered Britain the use of New Zealand troops, including Maoris 'who are loyal, prepared and desirous of assisting in restoring law and order ...'. AJHR, 1900, A-1, p.2, Seddon to Gov., 29 May 1899, enclosure in Gov. to CO, 29 May 1899. Carroll had asked to lead these troops. R.R.Alexander, 'Carroll, Sir James, K.C.L.C., M.L.C. (1853-1926)' in McLintock, op. cit., Vol 1, p.314.
last point Captain Russell related to the discrepancy between the requests of the petitioners and Seddon's stated aims for their future. There emerged from his speech the general settler attitude towards land and the unquestioning acceptance of the Land Court. This together with the 'dominant factor' idea - that New Zealand would insist on what it wanted and believed to be for the Islanders' 'good' - was to become apparent in Cook Islands administration. Finally, the Opposition felt that the returns would not be commensurate with the burdens of annexation and not enough had been said of the responsibilities involved. Nevertheless, the preponderant feeling was that annexation was for the islanders' own good.

Of the rights of the Cook Islanders themselves, little was said; it was left to a Maori Member, Hone Heke, to point out that they should have been consulted, and to warn against exporting the Land Court to the islands. He believed it to be an instrument of alienation and strife to which was attributable many of the troubles of the New Zealand Maori. G.W. Russell, a member of Seddon's party, repudiated the idea that New Zealand had a destiny to undertake the elevation and civilization of native populations on the grounds that previous experience with the Maori had demonstrated the colony's incapacity for such a task.

The motion was passed by 37 votes to 4 - a further 8 members being 'paired' - out of a total of 74 members, after which those present 'rose in their places and sang a chorus of "Rule Britannia" and a verse of the National Anthem'. Governor Ranfurly's departure two days later to proclaim the annexation released the Hilda from her straining hawsers.

Surprise and subterfuge

As there was some delay in notifying the Colonial Office of the second petition, the final stages of annexation went ahead as previously planned. Before leaving for Raratonga, Ranfurly forwarded to the Secretary of State the resolution passed by both Houses of Parliament and advised that he would announce in the Proclamation that the administration and all existing laws

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7 NZP. 1900, Vol.114, p.396. Charles Trevelyan described Russell as 'a well-meaning squatter, ... a fine English gentleman, such as South Wilts or North Salop would send to represent obscurely the John Bull farmer for a few years. But he is without power or skill'. Trevelyan op. cit., p.152.

8 NZP. 1900, Vol. 114, pp.419-420.

9 ibid., p.426.
would continue 'pending Her Majesty’s Government making other provisions'.

Though rumour was rife in Rarotonga, newspaper reports confirm that the arrival of the official party was quite unexpected. The press also noted that after the Governor had gone there was widespread confusion over the status of the islands. It is likely that this confusion arose in part from conflicting expectations within the community; but it was compounded by the disorganised and hasty manner in which the annexation was effected.

In letters that must have been carried by Mildura, Seddon appraised Gudgeon of Parliament’s approval of annexation and of Ranfurly’s commission. He also told him that Ranfurly would explain to him the terms and conditions that he Seddon had proposed. As conveyed to Gudgeon on the Governor’s arrival these were as follows:

1. That the native ownership of the lands in the islands is admitted.

2. That a competent Court Commission, or other satisfactory tribunal should define the ownership of the particular areas, and decide as to subdivision and partition.

3. That on this being done, the land should be surveyed, Crown granted and alienated through the Crown by way of lease or otherwise as may be agreed upon by the owners, with the consent of the Crown, thus safeguarding the interests of the natives, preventing them from being taken advantage of or becoming landless.

4. That the rights of the Missions established on the islands to lands ceded or occupied by them shall be preserved, also the rights of lessees and present occupiers.

5. That it is contemplated that representation be given to the occupants of the islands in the New Zealand Parliament.

6. That a system of local government on the lines of the Cook Islands Parliament be established and that the laws or ordinances now existing – except where they clash with New Zealand laws, especially the Customs, shall remain in force until other provision is made.

10 CO 209/260, Gov. to CO, 29 Sept. 1900 (1).

11 See NZH, 22 Oct. 1900; Te Karere, Nov. 1900, and Banks Diary, entries for 23 Sept. and 2 Oct. 1900.

7. That the positions of Officers now appointed and administering the affairs of the islands shall remain undisturbed pending permanent arrangements, and ultimately to be taken over by the Colony, when its boundaries are extended to include these islands.

8. The New Zealand Government generally desire that there shall be as little change as possible and their object is to provide for the well-being of the natives and to have things work as smoothly and profitably as possible.

9. That there will be an improvement in the Steam Service, boat landings and internal means of communication and improved commercial relationship assured, for by the inclusion of the islands within the boundaries of New Zealand, the tariff on the preserved fruits and other products of the islands will be abolished.

Seddon described these points as 'practically ... in accordance with what has been submitted by you on behalf of the Arikis'. He did not make clear whether he intended his terms and conditions to be conveyed to the ariki. But Ranfurly was obviously apprehensive on this issue. Referring to the Premier's Memorandum, he warned Gudgeon that the less he deemed it advisable to say the better. He stressed rather the original guarantees given to the Colonial Office and added

All promised in that I hold to, I think no more is wanted, and I would leave out anything else that is not essential.

At the same time, realising the delicacy of the situation, Ranfurly gave Gudgeon 'a free hand within the limits' of the two sets of conditions. Moreover, on the actual proceedings for annexation, Ranfurly said that

13 ibid., Ranfurly to Gudgeon, 6 Oct. 1900 (2), p.205, enclosing Seddon to Ranfurly, 29 Sept. 1900. Points 1, 2, 3 and 5 reiterated the guarantees given earlier to the Colonial Office. Ranfurly's covering letter and another to Gudgeon dated the same day were written on board Mildura.

14 ibid., p.195, Seddon to Gudgeon, 30 Sept. 1900 (1), Seddon added '... slight differences on matters of detail are easily adjustable'. In another letter of the same date, the Premier expressed his pleasure at the course events had taken and told Gudgeon: '... as long as we are working together for the good of the people of the colony, and the islands, and the extension of the one flag, and justice and freedom, all must go well'. ibid., p.200.

15 ibid., p.205, Ranfurly to Gudgeon, 8 Oct. 1900 (2).
after he had made his speech at Rarotonga he would retire to the ship and leave Gudgeon to 'explain matters where needed' and bring the decision of the ariki to him. If they agreed the full ceremony would then take place that afternoon. 16

There are two issues that require elucidation - how Ranfurly and Gudgeon explained the conditions of cession, and the future status of the islands - but it is difficult to reconstruct what took place. Danks was present but revealed nothing of what Gudgeon told the people and was vague about the Governor's initial address. He wrote only that Ranfurly 'discussed annexation' and then paid some attention to the need for increased planting until he was disconcerted by a question from a European about the application of New Zealand laws to the islands. 17 It appeared that on Seddon's conditions for cession, the Governor's caution prevailed and that little or nothing was said. Gudgeon could hardly have done otherwise. He knew that the ariki would never have agreed to sign on the basis of any conditions that diverged substantially from their own. And, as the more important of these had been ignored, he could not mention them either. Presumably he dwelt instead on the benefits for the islands which he had already stressed to the ariki and which Ranfurly had reiterated in his letter from Mildura. 18

On the future status of the islands, Ranfurly had emphasised earlier to Gudgeon the necessity to avoid any misunderstanding as to the right of the Queen to 'place [their] future rule where she likes; the extension of

16 ibid., p.204, Ranfurly to Gudgeon, 8 Oct. 1900 (1). It was planned that the ship should sail immediately after the annexation ceremony.

17 Banks Diary, 8 Oct. 1900. The planter was Shearman who is mentioned earlier as aspiring to be the first representative in the New Zealand Parliament. There is no useful LMS account of the annexation proceedings, and, although he was present, no mention is made of these in 'The Narrative of Charles James Ward of Rarotonga' as taken down by C.H. Davis in 1933. Ward was then an old man.

18 Gudgeon, 'Autobiography', p.205, Ranfurly to Gudgeon, 8 Oct. 1900 (1). Writing a day before annexation, Banks said that Gudgeon had told the ariki that they would have more power. WP, 215, Banks to Moss, 7 Oct. 1900.
New Zealand's boundaries being the course proposed'. 19 It is not clear whether Ranfurly intended to announce this himself or to leave it as one of those matters which Gudgeon was to explain. In the event, it appears that neither of them did so for, after the ceremony, a newspaper correspondent reported only that 'rumour has it' that cession was a prelude to annexation by New Zealand. 20

The alternative to incoherence is a deliberate lack of emphasis on the future relationship to New Zealand. The same correspondent remarked that when the Governor said he had come as the representative of the Queen, the chiefs 'immediately agreed to cession'. The ariki must have been left with the impression that the British connection was paramount for according to the Deed itself, they ceded sovereignty of the island 'subject only to the condition that it be annexed as part and parcel of the British Empire'. 21 The wording of the Proclamation would not have disabused them. 22 Banks wrote that the Barotongans did not seem to understand the nature of annexation. 23 But it appears also that until they received newspapers and Hansards in the following mail, the European settlers were themselves uncertain. 24

What evidence survives therefore strongly suggests a continued reluctance by Gudgeon, and now by Ranfurly also, to spell out to the islanders the full implications of the territory's change of status. In this respect the situation differed from the circumstances of the Treaty

20 NZH, 22 Oct. 1900. Despite this report, the paper's editorial on the same day assumed that the ariki had agreed to the planned inclusion of the islands within New Zealand's boundaries.
21 AITR, 1901, A-1, p.27.
22 Ibid., p.28. The Proclamation stated that '... the said islands shall form part of her Majesty's dominions and the full and absolute sovereignty thereof shall be vested in her majesty and her Heirs for ever'.
24 Ibid., Banks to Moss, 29 Oct. 1900.
of Waitangi by the element of deliberate deception, and by the fact that none of the conditions the ariki understood to be the basis for annexation were written into the formal documents. There were similarities in that both transactions were complicated by the difficulty of conveying the meaning of European constitutional concepts. Like most of the New Zealand chiefs, the ariki could not conceive that their autonomy would come to an end, nor indeed that they would not gain from the move.

The visits of the official party to the other islands were not without difficulty. On Mangaia, initial doubts were overcome by Ranfurly’s assurances that land would not be alienated. At Manihiki, the people opposed annexation because they were fully satisfied with the advantages of British protection which allowed them freedom to run their own affairs, including freedom to trade with the French. In spite of the earlier casual approach by the Colonial Office to Niuean reaction, there was some uneasiness about the party’s reception in Niue. Gudgeon advised Ranfurly to ‘take the bull by the horns and declare that he had come at the instance of the people and at their request’. The Resident reported that this served well enough and that the chiefs signed while he kept out of the way.

Gudgeon returned to New Zealand with Ranfurly and both were interviewed in Christchurch. Gudgeon said that with annexation the ‘authorities could assist by advice, general direction and moral influence’. He stressed the importance of this last point, defining it as ‘pressure, gently and steadily applied’ that would eventually bring about some results.

25 AJHR, 1901, A-1, p.26-27. At Manihiki, Gudgeon was shocked by the consumption of absinthe and the administration of the island. He said the ariki was an imbecile who was manipulated by corrupt men. He therefore concluded his report by recommending that Manihiki be annexed by the extension of New Zealand boundaries. Ibid., p.33. Technically, Manihiki was already annexed.


27 ibid., 136, See the account given in AJHR, 1901, A-1, p.27. Ranfurly said the Niueans were strongly against control from ‘Tonga’ and that they wanted a ‘British Resident’.

28 MP, 2 Nov. 1900. This contrasts with a private comment, after the ariki had signed the September petition, to a group of people including two missionaries, that the ariki would have ‘nothing to say following annexation’ and that he would ‘sit on them’. MP, 215, Danks to Moss, 29 Oct. 1900.
Seddon had hoped to secure the annexation in time to herald the new century with this evidence of New Zealand's expansion. The presence of Royalty was some compensation for this failure when, in June 1901, the Duke and Duchess of York attended a ceremony for the reading of the Proclamation which extended New Zealand's boundaries to include the Cook Islands.

The Principals

In the events which culminated in annexation there had been, in addition to Seddon three principals - Gudgeon, Ranfurly and Makea - each of whom had their own reasons for the stance they took.

Gudgeon had already enunciated his own views on the future of the islands. The question arises whether there were other motives and what rewards, if any, he expected for his part in resolving the issue in favour of New Zealand. His accent on economic development postulated a rationalisation of the use of land which would have repercussions on the authority structure within the islands. Annexation was therefore essential for the realisation of this undertaking. At the same time, Gudgeon's desire to make the Cook Islands the 'most prosperous nation in the Pacific' revealed not only strong ambition but personal views moulded by frontier experience and a climate of national assertiveness.

Gudgeon shared Seddon's impatience with British toleration of an expanding French and German presence in the Pacific. He was not content that the islands should merely be British but believed that Britain should provide an outlet for colonial enterprise, initiative and leadership. These attitudes were influenced considerably by his resentment of British military attitudes to colonial troops during the Anglo-Māori wars and by British reluctance at the time to give unqualified support to the settler cause.

29 CO 209/260, Seddon to CO, 16 Dec. 1900 (cable).
30 CO 209/262, Gov. to CO, and Seddon to Agent-General for New Zealand in London (cables), 7 March 1901, and CO minutes.
31 SP, 60/43, Gudgeon to Seddon, 4 Sept. 1900.
Out he was of necessity fiercely pro-Imperialist in the face of any threat to the Empire, as his energy during the Boer War had demonstrated. In this respect he was typical of many New Zealanders whose twin loyalties to their own country and to Britain were not felt to be incompatible. By the 1890's a new kind of national feeling was emerging. In its attachment to the past, its tentativeness and aggressiveness, it parallels on a different scale, the current image of the Maori bestride two worlds. To some extent Gudgeon was recognizably part of this transition. In another sense he represented the antithesis of its ideals. His views are apparent in the attitude of the freeholders attracted to Massey’s Reform party rather than in the ideals which were given political form by Grey, Ballance and Reeves. It was the freeholders, not the nation, who inherited the frontier struggle for land. It was men like Gudgeon who provided the stuff of New Zealand frontier legends and whose strength of purpose was called upon by leaders in a new age in difficult situations.

In many respects Gudgeon was 'anti-establishment' and therefore opposed to the highly educated, conservative, landed elite who had dominated government almost to the advent of the Liberals. Having discarded orthodox religious affiliation at an early age he was rauously contemptuous of organized religion and 'cant'. He admired the adaptability and versatility that were products of colonial life and was a resolute defender of specifically New Zealand values. All this was underwritten by a stern sense of duty, industry and self-help – in fact, by most of the virtues summed up by the term 'protestant ethic'. At the same time Gudgeon was a military man who retained the outlook of a profession he had chosen in defence of a settler future in New Zealand. His experience as a colonial soldier fighting Maoris for their stubborness over land and 'insurgency' in the eyes of the law, followed by his activities as a Land Court Judge in disposing of Maori land, emphasised a conception of Maori needs in

33 Sinclair, A History of New Zealand, p.226. See also, generally, Ch.4, 'New Zealanders and Britons'.

34 Information from an interview with Mr. E. Craig. Gudgeon also believed that the State should remove children from their parents and see to their upbringing.

35 Gudgeon was therefore opposed to the demands of Unions and spoke scathingly of the 'Red Feds'. Gudgeon, Diary (1913-1919), 2 Aug. 1913.
terms of colonial requirements. Despite his considerable interest in Maori ethnography, his personal beliefs and experience, together with his distaste for autocracy, predisposed him towards a particular view of island society and its future. He was therefore wholeheartedly behind the moves for annexation of which he was the instrument.

Ranfurly's position is more problematic. He had shared some of Glasgow's reservations about New Zealand ambitions and, if his correspondence with the Colonial Office is any indication, did not finally change his mind until after his visit to the islands in 1899. Nevertheless, from the time of his arrival in Rarotonga, Gudgeon corresponded with him and pushed the idea of annexation. Ranfurly's early extant letters, as distinct from Gudgeon's reports of his utterances, do not mention this and, though marked 'private', were concerned mainly with the careful exercise of the Resident's powers and anxiety over the Moss enquiry.

Yet, on his own evidence, Gudgeon regarded himself as the Governor's 'trouble-shooter' from the beginning. If Charles Trevelyan's observations are accurate, it could have been that Ranfurly's position was more flexible than had been the case with previous Governors. Knowing that annexation

36 Ranfurly Letters in Gudgeon, 'Autobiography'. In his letter of 24 Oct, 1899 Ranfurly mentioned that he had not thought that annexation could be expected as soon as Gudgeon had indicated. He pointed out that he had no power in the matter of annexation but would now 'put the matter strongly', presumably to the Colonial Office. By 10 April 1900 he had written confidentially to Gudgeon on the conditions under which the British Government would permit annexation. In another private letter, 23 August 1900, he thought it likely that there would be changes in the government of the Cook Islands and the Resident's duties at which time the question of Gudgeon's salary would be negotiated.

37 Information from Mr. E. Craig.

38 See a 'Letter from Charles Trevelyan to W.Fember Reeves, August 22 1898', Appendix II, Webb, op.cit., p.37-38. Though the powers of the Governors had by this time become almost negligible, Ranfurly appeared to have had a fairly close relationship with Seddon in the matter of the Cook Islands. Compare the situation outlined by Sir Arthur Gordon in his description of his position in private letters to Lord Selbourne, 1881, McIntyre and Gardiner, op.cit., pp.340-3. 'Mr. Hall the Premier and I are on the best possible terms ... but he makes no secret of his conviction that he, or any other minister, would be considered by the public to betray his trust if he discussed any matter with the Governor ...'.


was definite policy, he was in a position to manipulate circumstances and to gain time for the islanders to accept the inevitable. Until his fastidiousness was upset by a first hand encounter with islands' administration and justice, and until he was exposed to Gudgeon's personality, he was a bystander sympathetic to Cook Islands' aspirations and above the urgent motives that drove Seddon or the ambition that inspired Gudgeon. After that visit he did not choose to stand in the way of annexation; indeed, he became a willing advocate. He was anxious to clear up a messy situation by finding an alternative to the Protectorate acceptable to the Ariki without recourse to the costive processes of the Imperial Treasury. Whatever course was decided upon it would have to be one that did not damage British prestige or set the colonies baying at the heels of the Colonial Office.

In these negotiations, the role of Hakes is a complex one about which there is all too little information. Gudgeon admitted his dependence on her influence. In this respect he allowed her the importance, if not the deference, which official visitors accorded her. He did not use the title 'Queen' but referred to her as the 'leading Ariki'. In private, he despised the missionary influence that had elevated the weak Makea title, and he declared Takua herself to have been an illegitimate cuckoo in the Makea nest and a foolish old woman with an inflated sense of her own importance. Nevertheless, even if he hoped it would be for the last time, he could not ignore her standing, strengthened as it was by her marriage to Iganamu and his outer-island connections. That she was able to overcome the reservations of the other Ariki and persuade them to follow her lead attested to Gudgeon's estimation of her personal influence and the fact that, as the longest-reigning and most experienced Ariki, she was accorded a respect that transcended her regional title.

Physically Makea Takua was a large and imposing woman. Contemporary photographs taken with visiting dignitaries show her sitting stolidly among the sartorially crumpled men and corset-stiffened women - her ample figure draped in a fine-stuff mother-hubbard and the heavy, passive though

39 GR, 662/F, pp. 8-9; 'Diary/Scrapbook', p. 42.
sad cast of her features truncated by a flattened boater-style hat.

Few contemporary references give more than passing insights into her character. Though she ruled her own people with a strong hand, Banks maintained that she had complained of feeling harassed, frightened and helpless in the face of Gudgeon's demands many of which she did not understand. Of much of the business conducted in her name, she told her friends she was not consulted but was merely required to give her signature. She also detested some of the Resident's white officials whose appointments she had endeavoured to oppose.40

Yet she supported Gudgeon in many things and often used his commanding presence to further her own ends.41 Fear, respect and the expectation of increased prestige were likely elements in her relationship with him. It is probably true that her very long reign had made her unduly imperious, while changing circumstances and the unique authority structure in her taro made her unmindful of some of her obligations and freed her from some of the restraints imposed upon the other ariki by their mataiapo. Flattery may have eroded her previously highly critical assessment of European actions in the Pacific while the hope of advantage, and considerable pressure, led her to place undue reliance upon the promises made by Seddon and the guarantees outlined by Gudgeon. Yet she believed them to be honourable men and treated them with due respect. Finally, since she placed some importance on her position vis-a-vis the other ariki, and as there were English and Hawaiian queens as her contemporaries, it may have occurred to her that her part in annexation, with the benefits it would bring to the people, might enable the Cooks to gain what had so far escaped it - the assured paramountcy of the Makea line.

If Gudgeon felt momentarily uneasy at the gullibility of the ariki and their trust in him, Seddon's approbation confirmed his belief that he

40 BP, 215, Banks to Moss, 15 Sept. 1899; 7 Oct. 1899, 27 Nov. 1899, 25 March 1900, 22 April 1900. Makea was credited with possessing 'the evil eye' and other occult powers. BP, 188/31, 'Rulers of Barotonga'.

41 See, for example, BP, 215, Banks to Moss, 27 Nov. 1899, in which he reported that Makea had threatened to take away Makea Daniela's lands and titles after he was convicted by Gudgeon.
had done his duty and acted in the best interests of the islands. He felt also that he had more than fulfilled the expectations of his superiors. He said:

When I left New Zealand Lord Ranfurly said to me if you can settle the present troubles and above all bring about annexation you will not only deserve well of the Imperial Government but I should have no doubt that you will receive a much better appointment afterwards down here. He told me that I should receive some order as a mark of appreciation of the services I had rendered.

There was a suggestion too, that his work in the Cooks would lead to a position in Tonga. Though expectant, Gudgeon was cautious about placing too much faith in the protestations of public figures. He felt that Ranfurly was 'all Irishman and says more than he means ...'. Gudgeon had enjoyed a close relationship with Seddon based on the conspiracy of their joint endeavour. But he was wary of the Premier, indicating on the one hand that he could be 'used' and on the other that he could not be entirely trusted. For all that, Seddon remained the chief vehicle for preferment and a barrier against hostile politicians and those who were not prepared to see the welfare of the islands in the same light. Seddon and Ranfurly had relied heavily upon Gudgeon in the final stages of cession and the Premier had promised him the power to put his ideas into practice. Whether anything came of the promises made to him, Gudgeon believed that on a personal and public level he had acted with finesse, adroitness and considerable distinction in a cause that would be beneficial to New Zealand, Britain and the Cook Islands.

42 Gudgeon, Diary/Scrapbook, p.55. In his report to Seddon, Gudgeon did not take all the credit for the success in obtaining the petition but attributed much of it to 'Goodwin, the Clerk of the Parliament, who had worked in the most judicious manner in the good cause'. SP, 60/5, Gudgeon to Seddon, 8 Sept, 1900. There were also other Europeans who assisted Gudgeon.

43 Gudgeon, Diary/Scrapbook, p.24, entry for 8 Sept. 1900.

44 ibid., p.55. Gudgeon was also told that he would receive a rise from £500 to £700 p.a.

45 ibid., p.36. Gudgeon continued 'it will be interesting ... to see whether the Imperial Government will do anything for me'.

46 GP, 662/G, pp.4-5. Gudgeon was piqued with Seddon over his tendency to enlist other sources of information in the Cooks, including a missionary whom the Resident thought sneaky and petty.
PART III

THE COOK ISLANDS EXPERIENCE

OF NEW ZEALAND RULE
CHAPTER 5

The Colonial Framework

It is well known to His Excellency the Governor and to the Secretary of State for the Colonies that it has ever been the desire of the Government of New Zealand to improve the condition of the Polynesian and Papuan races inhabiting the Pacific.¹

The legislation

The passage of the Cook and Other Islands Government Act in November 1901 was preceded by a debate which ranged 'from Matabele land to Liberia, from Haiti to the East Indies', in which Parliamentarians sought to justify a curious range of opinion prompted by the proposals for the new 'colony'.

The Bill was designed as an interim measure pending legislation that would reflect a detailed policy for the islands. It was made retrospective to 11 June 1901 and was to remain in force only until ten days after the next session of Parliament. The Bill provided for existing laws and customs to continue until 'other provision' were made, but under an amendment moved by Seddon, this enabled the Governor, by Order-in-Council, to direct that any law in force be modified or repealed.³ He was similarly empowered to extend to the islands such New Zealand laws as were, in his opinion, 'expedient for the peace, order, good government and welfare of the inhabitants'. The Federal Parliament, renamed the Federal Council, was retained and its ordinances made subject to the Governor's approval. The Governor was authorized to appoint a Resident Commissioner to administer the government of the islands. His powers and duties were to be determined by Order-in-Council but in the meantime he was to have

1 NZPD. 1901, Vol. 117, p.253; Herries quoting from Seddon’s despatch to the Governor, 18 Aug. 1900. (See AJHR, 1901, A-l, p.36, Gov. to CO, 27 Nov. 1900 and enclosure). Herries was Opposition spokesman for Pacific islands and Maori affairs. He was to become Native Minister from 1912.


3 NZPD. 1901, Vo. 119, pp. 359-60; Cook and Other Islands Government Act 1901, s. 2.
those possessed by the 'late British Agent'. Under a further provision Lt. Colonel Gudgeon, C.M.G., became the first Resident Commissioner.

In addition, the Governor could appoint such other officers and assign to them such powers and duties as he thought fit.

The Governor was to provide for the control of all public revenues and expenditure and to determine customs duties on foreign goods. Free trade was established with New Zealand. The importation of arms, liquor, opium and other articles 'likely to be injurious to the inhabitants' was prohibited in accordance with promises made to the Colonial Office. The existing courts were to continue but with appeals rights to the New Zealand Supreme Court. The Governor was authorized to set up a land tribunal or appoint officers, with such powers and functions as he thought fit, to ascertain and determine titles to land.

The Governor was therefore given the power, as the Colonial Office commented, 'to do as he likes'. The retrospective nature of the legislation also legitimised actions already taken, such as the appointment of several Resident Agents and the premature application of New Zealand customs regulations for which Seddon had been criticised.

Seddon set out to convince the House that the provisions of the Bill were in the 'best interests of the people'. He was aware that exception might be taken to Section 3, which provided for the 'gradual introduction of our Acts of Parliament by Order-in-Council', but by dwelling on some of the outdated 'blue laws' and on the current divorce laws, he enlisted the powerful aid of ridicule. This section of the Bill contravened paragraph 4 of the ariki petition. However, its provisions appear to have met Gudgeon's view that he would need considerable powers and legislative backing for policies awaiting implementation - particularly those concerning the Land Court and restraint of the ariki.

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4 ibid., s. 5.
5 ibid., s. 13(2).
6 CO 209/263, CO minute on Gov. to CO, 18 Dec. 1901.
8 ibid., p.283.
The ariki request for the substitution of the Federal Parliament by a 'Council of Arikis' was not granted on their terms. It was apparent that the chiefs wished to do away with the elective principle inherent in the introduced parliamentary system and to substitute on a federal scale the principle of unfettered ariki authority. However, the Council was shorn of its power. In addition to the Governor's right to repeal or modify existing laws and to introduce New Zealand ones, a series of amendments moved by Seddon removed from the Bill specific assurances that both the Federal and Island Councils would have the same legislative competence as their predecessors.9 Under the presidency of the Resident Commissioner, the Federal Council now resembled Gudgeon's formula for control of the ariki.

The same tendency was apparent in the sketchy provisions relating to Island Councils. When Seddon explained the degree of 'local self-government' being provided for, he quoted Gudgeon's advice that elections would not only be unacceptable to the ariki but would force them to nominate 'inferior' men as mouthpieces.

Under these conditions it seems preferable to use the ancient hereditary power at hand, and appoint the Arikis and Kavana to the Council, with a European officer as President when possible.10

While this seemed a generous concession to ariki feeling, Seddon did not explain the motive behind it. It was clear that the Government had no intention of perpetuating, nor of symbolically enshrining, exclusive ariki authority as such in any of the island institutions. The intended European direction of the Councils would not only affect the nature and degree of 'local self-government' but also ariki control of the public service.

The legislation had therefore, given scant attention to the wishes of the ariki. This was made easier by the projection of a picture of the chiefs as greedy and oppressive feudal overlords opposed equally to economic enterprise and political freedom. It was also related to the manner in which the form of association between the islands and New Zealand was interpreted.

9 ibid., pp. 360-1.

10 ibid., p. 285.
Self-government or dependence

Under the Colonial Boundaries Act 1895, the Cooks became part of New Zealand. As there was no provision for Cook Islands representation in the New Zealand Parliament, and as it was thought that considerable—perhaps over-generous—allowance had been made for 'local self-government' through the Federal Council, the question arose as to whether the Cooks had, in fact, become a 'colony' rather than an integral part of New Zealand, but with a separate government and powers illegally delegated to officials over whom Parliament had no control. Some members of the Opposition argued that the islands, being a British possession, were merely incorporated with, not annexed to, New Zealand; and that, as the colony could not constitutionally support different institutions, its laws should automatically apply there. But whatever the constitutional implications, these were ultimately less important than the question of control, linked as this was to the position of the Resident Commissioner and the powers conferred upon him.

There was resentment of the surrender by Parliament of powers now being conferred upon the Governor and of its inability to supervise the Resident Commissioner. Objection was taken also to the continued exercise of both judicial and executive functions by Gudgeon. The lack of information and accurate returns prevented Parliament from acquainting itself with island matters and contributed to the general unease over the Resident Commissioner's powers. There was dissatisfaction with his administration, including the matter of defalcations from Cook Islands' funds and other minor irregularities. It was alleged that Gudgeon had engineered the ariki petition; that he controlled the islanders and wished to concentrate as much power as possible in his own hands without


12 Berries complained that confidential letters from the Colonial Secretary to the Governor were passed on to Gudgeon. He demanded that no confidential instructions should be issued to the Resident Commissioner and that all directions should be laid before the House.

13 ibid., p.664. Seddon referred to the period 'during which one or more officers had helped themselves to money belonging to the Cook Islands Government' as being before the islands had become part of the colony. He mentioned that Gudgeon 'had done what very few would do' when he paid £500 into the Cook Islands Public Account.
interference from New Zealand. It was obvious that none of these critics were well-disposed towards Gudgeon, but such accusations enhanced an already sinister picture of power running riot.

But the crux of the matter was the situation of white settlers in the islands. Analogies were made with the position in Fiji where white settlers had sought the intervention of New Zealand to relieve them from a position 'inconsistent with freedom, justice and equity ..., an abrogation of civil and political rights'. There at least, Herries alleged, there was a white dominated government whereas in Rarotonga, though there would be a 'white Governor, the Federal Council will be composed of dark-skinned people, and the white people will have no say in making the laws under which they live'. He accused the Government of giving its sanction to Cook Islands laws similar to those of Fiji and of perpetuating the very situation the 'Outlanders' in South Africa were fighting against.

Some reflections had already been made on the nature and value of Cook Islands political institutions. A few members found the existing laws amusing or offensive. Others discounted the validity of any comparison of the Federal Parliament ('this burlesque Parliament') with their own, likening it instead to the 'Native Committees' set up in 1900. The necessity to provide a constitution was 'an absurdity, a subject fit for laughter'. Anything appropriate to the government of 'an advanced and civilized people' was inappropriate to the management of 'a handful of

14 ibid., pp. 663-5, Napier. This was the Member who moved an amendment to ensure that the Act would have to be reviewed by Parliament if it were to remain in force beyond the next session. ibid., p. 361.

15 Gudgeon referred to his strongest critics in Parliament as the 'Napier Gang'. He believed their malice was at least in part religiously motivated: '... they are the irreconcilable Romanists who never forgive me for leaving them'. Gudgeon, 'Autobiography', p. 137.

16 NZPD, 1901, Vo. 119, p. 293, Mackenzie. The New Zealand Parliament had earlier passed a resolution condemning the Fijian situation.

17 ibid., pp. 291-2.

18 loc. cit., Herries.
simple, good-natured, harmless aborigines'.

What then did Parliament think was a suitable government for people who had not asked their advice on the matter? There was a considerable body of opinion against changing the existing institutions or of introducing New Zealand laws, and a belief that land resources could be developed without interference with the power of the Ariki or with the freedom of the islanders to work out their own destiny. A few members, with a sympathetic attitude towards the history of other 'colonised' peoples, including the Maori, were passionately opposed to the subordination of Cook Islands aspirations - and to any attempt to impose 'grandmotherly' legislation, on the advice of an unsympathetic Resident Commissioner, upon a people who had their own ideas of how they should be governed. Conversely, there were others who were convinced for strategic reasons that New Zealand had to exercise a 'predominating influence' in the islands. It was argued also that annexation and 'appropriate legislation' would ultimately have the same civilizing effect on the islanders that European influence had exercised upon the New Zealand Maori. The temptation was therefore to fall back on the general view of New Zealand experience and to meet 'the Native problem' as it had been met in New Zealand.

Seddon had admitted that there was no precedent to guide the Government in its present undertaking. One man, John Bigg, who was concerned at the powers vested in the Governor, attempted to find a suitable model by examining the 'history of native peoples'. A survey of the colonizing systems of the Spanish, Dutch, French, Germans and British revealed 'a conquering people taking possession of the lands of the natives and

19 ibid., p.663, Fisher. But Fisher objected 'on the more serious grounds of expenditure' and the uselessness of 'these paltry Cook Islanders'. He was also impatient of Seddon's solicitousness for Britain and the Empire: 'There is too much of this sycophantic veneration of the Home authorities. We are getting tired of it' (p.664). See also Napier, p.664 - 'The natives of these islands are virtually children'.

20 ibid., p.1077, Scotland (L.C.).
treat them in some cases with abominable harshness'. He saw the recent action of the British Government in selling the mineral concessions (granted to it by the Matabele) to the South African Chartered Company, and the subsequent treatment of people who had trusted the Crown, as an unpardonable betrayal and a discredit to the race. For Rigg, the one model, the one exception in an otherwise consistent pattern of colonial barbarity, was New Zealand.

...here you find a beautiful relief to the dark cloud in the considerate treatment meted out by the people in this land to the Maori race.

Rigg posed the question of how far a native people - 'I am speaking of the black and brown races' - were capable of self-government and how far they could be 'trusted' with the power. He concluded, with reference to the New Zealand Maori 'who are amongst the most intelligent natives in the world', that they were not capable of governing themselves.

Having dismissed self-government as an inappropriate goal, Rigg turned to the Hawaiian Islands as a case-study analogous to what was being attempted in the Cooks. In this instance some of the legislation passed after 1896 was similar to that contained in the Bill except that, whereas the Governor was here the pivotal authority, in Hawaii five commissioners (two of them residents of the islands) were appointed to advise Congress on legislation appropriate to the islands. Rigg favoured a similar commission for the Cooks, together with the provision that legislation could be introduced only by the New Zealand Parliament. Otherwise, Rigg did not question the principles upon which the Bill rested. What was important was a more positive role for Parliament in the conscientious rule of a dependent people.

21 ibid., p.1078, Rigg (L.C.). Appointed first by Ballance and later by Seddon, Rigg was a member of the Legislative Council for 22 years until Massey declined to reappoint him in 1914. He was a prominent pioneer of the Labour Party. See H. Roth, 'Rigg, John, C.M.G. (1858-1940)' in McIntock, op. cit., Vol. XIII, p.94. Rigg displayed the paternalism typical of many radicals of his time. The following analysis and quotation are taken from NZPP, 1901, Vol. 119, pp.1078-80.

22 Rigg judged the capabilities of the 'African-Americanised Negro' on the examples of Liberia and the Republics of San Domingo and Haiti.

23 Examples he gave of New Zealand legislation which could be injurious without such safeguards were the electoral laws - including women's franchise - and some labour laws.
In the discussion on the ariki petition, Napier's charges of fraudulence gave way to a concerted attack upon the discrepancies between what were deemed to be the legitimate expectations of the islanders and the provisions of the Bill. These discrepancies were so blatant that Russell, for example, could safely suppress his conservative sentiment by maintaining that the ariki had no idea or intention that the Governor in Council or the Parliament of New Zealand should be allowed to enforce upon them such laws as they saw fit. In these and other respects the Bill was 'absolutely' at variance with the petition. The Opposition charged that there had been a grave breach of faith and denounced the Bill as a violation of contract. Seddon was accused of ignoring the wishes of the ariki and treating them as 'children to be played with'.

Land: the key

The land tribunal was the issue that tied together the proposed economic policies, upon which Seddon's financial predictions for the islands depended, and the matter of ariki political and social dominance. Seddon had promised the House a prosperous, free-trading, economically viable group, attractive for European settlement and investment at no cost to the New Zealand taxpayer. To provide the necessary incentives for an industrious Maori peasantry, security of land tenure was essential. This could be achieved by taking away the power of the ariki 'who claims

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24 Captain Russell (Leader of the Opposition) said there was no record in the Journals to prove that it was not the petition of those who signed it. If it is the petition of the Government's representative, are we to be told that 'on the petition of a salaried officer of the colony we are to annex the Cook Islands, and that the petition is fraudulent and not what it represents to be?' ibid., p.663. Russell refused to pursue the implications of these charges, but this extraordinary situation was, in essence, a fair assessment more particularly as the legislation departed from any semblance to ariki wishes.

25 loc. cit.

26 loc. cit., Russell and Allen; see also Atkinson (p.667) and Scotland (p.1077). Napier regarded the Land Court as 'repugnant to their cherished principles' (p.664). Russell, however, had himself maintained that the islands should be administered as a 'Crown colony' and not as a 'constitutionally governed colony'. He also believed that there would never be a 'vigorous, energetic, British community living in the islands' (p.663).
everything'. But caution was necessary; it must not be done in a revolutionary way. Instead, Seddon advised the House, 'you must carry the Arikis and chiefs with you and ask them to help you in the interests of their people'. Seddon did not envisage any problems in seeking the assistance of the ariki to destroy their own mana because, in the past, 'the Arikis worked very heartily with us, and were open to be guided by the King's representative'.

The reactions varied. A liberal, G.W.Russell, implied that the Land Court had weakened the power of the chiefs in New Zealand, thereby producing unrest and destroying a medium between government and people. He warned that similar troubles would be likely in the Cooks. Others opposed the introduction of the Court on the revealing ground that, as the country was unsuitable for European settlement, it was therefore unnecessary. This was tantamount to saying what the New Zealand Maoris had claimed for decades - that the Court was a European institution devised to advance settler rather than Maori interests.

Others opposed the sale of land but supported individualization of title because it was a natural 'concomitance of civilization'. The reputation of 'earth-hungry' whites was an obvious embarrassment for 'We all know the reproach against New Zealand made by the Governor of Fiji as a reason why Fiji should not be annexed to New Zealand'. It was also clear to some that the operation of the Land Court in New Zealand had brought little benefit to Maoris who had obtained titles.

In the Cook Islands it was felt that the Government had the opportunity of avoiding past mistakes and of administering land 'for the benefit of the

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27 ibid., p.286-9. The question was asked - 'but can you expect these men, whose mana is now so great that they are virtually the persons in whom are vested the trusts and ownership of the lands, will go along with you in seeing their power and headship destroyed?'. Seddon interjected, 'It is their wish'. (p.295).

28 ibid., p.295.

29 ibid., p.1081, Pitt, (L.C.) The Fijians had been told by Sir George O'Brien that should annexation eventuate the white men would take their land. See AJIR, 1901, A-1, pp.35-37 and A-3A, pp.1-3.
native owners'. The spokesman for those to whom such niceties were irrelevant could have been William Massey, a rather dour farmer and future Prime Minister. He favoured a solution to the land question 'in exactly the same way as the land belonging to the Natives of this country were dealt with'. He was doubtful if the islanders could ever be efficient agriculturalists.

They will never be self-supporting until the present generation in the islands is replaced by a more industrious race of people.

Seddon’s reply to Massey’s pessimism was that ‘it only requires the direction of the white man and they will produce whatever we require’. To Russell’s accusations, he emphatically denied there had been any breach of faith whatever. All other objections, save those concerned with the land, were ignored. On this subject Seddon maintained that New Zealand had honoured a contract with the ariki:

Now, in respect of their lands, I wish to say that the terms and conditions were laid down in our agreement, and consistent with that agreement, we are taking power in this Bill to set up a Court to decide on the titles of their land.

It could be argued that Seddon’s use of the word ‘agreement’ could be taken to mean the agreement between the Colonial Office and New Zealand. It certainly could not be confused with the altogether different question of appeal to the High Court in the case of land disputes in the islands (para. 2 of the ariki petition). However, Seddon was even more explicit in indicating that the ariki had been formally consulted when he stated:

30 Pitt probably had in mind the fragmentation of holdings and the general confusion resulting from the operation of the Court among people whose attitude to land was that of trusteeship, and who were therefore opposed to individual ownership.

31 NZPD, 1901, Vol. 119, p.299. Massey was also apprehensive of the islanders battening on New Zealand generosity in the matter of old-age pensions and education.

32 ibid., p.672. On the question of control or consultation over the appointment of Land Court personnel, Seddon stated that, as the Islands formed part of New Zealand, 'no such powers should be given to them'.
... the conditions we promised are contained in what we told them, and they are laid down in concrete from, and those are the whole of the conditions, and we are complying with them.\footnote{loc. cit. In replying to an earlier question in the House from Herries as to when the Government intended to honour its pledge to set up a 'Native Land Court' in the Cooks, Seddon had stated: '... the Government would, when the proper time came and the question was raised between the parties more directly affected ... comply with this request'. ibid., Vol. 117, p.253.}

Though semantics are necessarily involved in following Seddon's reasoning, it is evident that 'them' referred to the **ariki** but there was convenient confusion over the word 'agreement'. Unless Seddon believed that his nine points had been read to the *ariki* at cession, this amounted to a deliberate attempt to mislead the House. It will be recalled that Seddon had not mentioned annexation during his visit to the Cooks and there had been no agreement, nor negotiation, nor discussion with the *ariki* over the terms of their petition. The agreement with the Colonial Office could not be revealed to the *ariki* as it was not only against their interests, but they were also unaware that plans for annexation were proceeding. It was for this reason that Gudgeon had been urged to obtain a second petition which would give some semblance of legitimacy to the association with New Zealand already agreed upon with the Colonial Office. Its terms, therefore, had to approximate both to policies already formulated and to what the *ariki* themselves wanted. Gudgeon's genius in reconciling the two was apparent in the terms of the petition eventually received. There is no evidence to suggest that the land proposals, or any of the other 'sensitive' conditions proposed by New Zealand, were discussed with the *ariki* before or at cession. It was apparent that the *ariki* expectation that they would continue to be self-governing in association with New Zealand was not - and could not be - contemplated by New Zealand. Nor, given the role of the Governor and the influence of Gudgeon, could the
contention that a considerable measure of self-government had been granted be taken seriously. 34

The Island Councils, before Gudgeon's first onslaught on them, had been virtually autonomous. In contrast to this state of affairs it was never contemplated that their powers should be restricted to taking local laws concerning the planting and protection of trees, the leasing or sale of 'waste land' and the 'repression' of wandering animals. 35 Members of the New Zealand Parliament who had talked in contradictory terms about 'self-government' and 'local government' in the constitutional context, were more accurate than they thought, for the wrong reasons, when they compared island government with the emasculated 'Native Committees' in New Zealand. These, too, were created below the minimum requirements of

34 See however, R.P. Gilson's interpretation in 'The Administration of the Cook Islands', p.178, and in his article 'Negotiations', p.77. On the basis of the annexation debate in 1900 he says: 'In short, Seddon committed his Government to allow a considerable degree of self-determination in the administration of the Islands. When he said that the Maoris might keep their "local self-government", he did not use the term self-determination but that is clearly what he was taken to mean. This promise should be taken more seriously than the proposal for Parliamentary representation...'. I agree that this is what Seddon implied but I do not think his statement can be taken seriously. Seddon's part in annexation and his approval of Gudgeon's proposals indicate his appreciation of the necessity to diminish ariki control in the interests of economic goals. The 1901 Bill was about the shift of authority recognized as essential even before 1900. His commitment seems nothing more than a misuse of the term 'local government' or one of his frequent lapses of attention. However, S.D. Wilson in his article 'The Record of the Cooks and Niue 1901-45', in Angus Ross (ed.) New Zealand's Record in the Twentieth Century, Wellington, 1969, p.25, accepts Gilson's interpretation. He says 'A Council of Arikis was to legislate for "Local affairs", and no-one questioned its ability to do so'. Gudgeon questioned its ability and its right. Seddon listened to him and the Bill shows plainly that the Government also doubted it. Gudgeon re-stated his view in an article 'Annexation of the Cook Islands' in The New Zealand Illustrated Magazine, Vol. 2, No.6, March 1901, p.419: 'There is one matter in which the Cook Islands may expect to gain largely, viz., by the transference of the governing power into the hands of Europeans...'.

35 N.Z.P., 1901, Vol.119, p.296 - Seddon, quoting from a Gudgeon report. These provisions were not included in the Bill. In their discussions, Parliamentarians had consistently confused the concept of self-government with local government - i.e. territorial as against island or district government.
Maori aspirations, diverting Maori opinion and energy into communal cleaning activities and a minor degree of self-teaching and community regulation. If in New Zealand Maori aspirations had not been met with sufficient generosity, in the Cook Islands the level of autonomy already achieved was being whittled away. However, what degree of participation the New Zealand Maoris had gained in membership of the land councils was in the Cooks to be subsumed by an institution nominated and staffed by Europeans, to whom island methods of social control were alien.

The Bill therefore nullified the kind of self-government sought by the ariki. It was also obvious that the Land Court and other provisions would progressively undermine those institutions, including the chiefly authority, upon which such autonomy rested. There is sufficient evidence, dating from the Government's land-rights agreement with the Colonial Office and the general acceptance of Gudgeon's recommendations, for this to be interpreted as deliberate policy. In this context self-government was inimical and therefore irrelevant.

On a division that the Bill be read a third time, 36 voted for the motion and 13 against. These numbers were indicative of the attendance in the House throughout the debate. Presumably, those who made up the usual bare quorum were either more interested in 'the Polynesian question' or more easily dragooned into attendance. Not one Maori - neither James Carroll, the representative of the Native Race on the Executive Council, nor any of the Maori members - spoke during the debate.

36 It could be argued that this interpretation is over-severe. However, given the level of Maori expectations and the fact that they had been persuaded to abandon their separatist political role to achieve their aims through 'lawful' parliamentary means, the result of the legislation was pitifully inadequate. Despite some altruism, the tone of the debate - and Seddon in particular - clearly indicates that the measures were a sop to Maori pressure, not to be taken too seriously by a nervous and resentful House. The Government's abandonment of some of its guarantees - of which the exploitation of the Urewera and King Country is a glaring example - was a fair measure of its sincerity and of the strength of settler pressures.

37 Fisher drew attention to the greater interest aroused by the circulation of the public works estimates which the majority of members were perusing in the lobbies. ibid., p.422.
The 1901 Act shifted the source of authority from the old Federal Parliament to the Governor, on whose behalf it was exercised by the Resident Commissioner. In effect it formalised a situation that in large measure already existed. Gudgeon remained relatively unfettered either by law or by direction since the Order-in-Council which was to define his powers was not made until 1906; meanwhile there was no co-ordinated control from New Zealand.¹

The Federal Council was reconstituted on 10 December 1901, ostensibly according to the provisions of the Act and, as Gudgeon assured the chiefs, according to their wishes for a Council of Arikis.² Makea became Head of the Council; Gudgeon was its 'adviser and executive'. The Council's functions were severely restricted. It had no executive competence and little authority for it had lost control of staff and finance to Gudgeon who, as chief executive, consequently ran all the services.³ Since Gudgeon could administrate without reference to the Council - which met infrequently and on the Commissioner's initiative - the ariki were cut off from the business of government. Their dependence upon him increased.

¹ The Resident Commissioner continued to report to the Governor, later the Premier, pending the appointment of C.H. Mills in 1902 as Minister with responsibility for Cook Islands affairs. Mills was also Commissioner of Trade and Customs. Action was taken on various subjects by the appropriate New Zealand departments. The financial vote for the Cook Islands in the early years was included in that for the Colonial Secretary's and then the Customs Departments. From 1906 a 'Cook Islands Administration' was established within the Justice Department but there was no provision for separate staff until 1912.

² Owing to a defect in the Act, the reconstitution of the Federal Council was technically illegal. It had been carried out without regard for the provision that the laws, the Parliament, and Councils in existence at the commencement of the Act should continue - save only that the Parliament should be renamed. Gudgeon failed to refer to the relevant provisions of the 1899 Federal Constitution Act which regulated the election of members and the composition of the Parliament. This mistake was picked up in the case of Niue (see AIHR, 1902, A-3, p.62). Gudgeon was acting in accordance with what he thought was the mandate the Act had given him.

³ See ibid., 1903, A-3, p.5, Mills to Gudgeon, 4 June 1902, in which Gudgeon was notified that customs revenue and officers were to be under his control as 'Administrator of the Government', and that interpretations of the tariff were to be decided by him also.
The Island Councils were reconstituted over a period of time. The Rarotonga Council, which had fallen into abeyance, was reformed with powers to pass local ordinances for the 'good order' of the island. Mākea became its head. The district bodies or au were not given legislative powers and dealt with road maintenance, the husbanding of crops and the inspection and sale of fruit. Justice remained a district-based concern centred on the Ariki Courts.

Nothing less than stern authority

Gudgeon did not believe that the Cook Islands had lost their freedom or 'local government' - indeed he thought they still had too much. Cook Islanders had to be made to see what was good for them; that there were ways of bettering themselves which they had not yet comprehended. 4

The Commissioner's 1901 report is useful for its elaboration of his earlier thinking. The main burden of the report concerned trade, together with land usage and those social conditions which either supported or hindered its expansion. The year had been a bad one for yield and quality. Insect pests imported from New Zealand in old fruit cases had affected the Rarotongan orange crop; the coffee crop had yielded less than usual; and the same was true of the main export - copra. 5 The report was pessimistic enough for a Minister intent on justifying the economic potential of the group to study with care any recommendations the Resident could make to improve matters.

Gudgeon noted that the islands with most potential for more intensive land use and production were Rarotonga, Atiu and Mauke. Of these Rarotonga was the most fertile, valuable and populous. But it was the least planted. This was due, firstly, to the uncertainty of tenure of the cultivators who were 'tenants at will' of the Ariki; they could not be expected to plant crops for which they and their children might get no return. The second reason given was the lack of diligence among the people.

4 This was also true of the Niueans and their 'so-called' king, Togia. Gudgeon regretted that Togia had not been made 'purely ornamental and given a pension for life'. ibid., 1902, A-3, p.41. Gudgeon to Seddon, 28 Nov. 1901.

Contrary to appearance, Atiu was judged to be exceedingly fertile, producing a variety of crops in abundance. But the coconut palm had been neglected, even though copra was the most valuable export crop and involved none of the drawbacks and spoilage of reef handling associated with the fruit trade. Gudgeon judged the Atiuans themselves to be 'the most poverty stricken people of the group' — for which their system of land tenure and tribal organization, akin to that of the New Zealand Maori, was in part responsible. In addition, they were 'less civilized or amenable to reason than any people in the Eastern Pacific', and would in consequence 'require to be governed with a strong hand'. Some of the Atiuans occupied the conquered islands of Mauke and Mitiaro, but even so, Gudgeon reckoned that the 800 living on an estimated 32 square miles of Atiu could not occupy or adequately cultivate two square miles.

Gudgeon maintained that the four and a half square miles of Mauke 'might fairly be regarded as equal to forty square miles of the best land in New Zealand'. This potential was offset by the bad character of its inhabitants and the corruption of all its officials. He concluded that, although its size did not warrant the appointment of a government agent for the time being, justice would never be conducted with decency or probity until the law was administered by a European. The other islands also had potential for economic and social improvement but, with the exception of Aitutaki where the people though 'turbulent' were 'worth preserving', the quality of leadership and administration left 'everything to be desired'.

Finally there was Gudgeon's assessment of population trends and his belief in the need for European settlement.

6 ibid., p.50. Their behaviour had already caused the only European resident on the island, shortly to become the Resident Agent, to threaten them with the 'terrors of the High Court'.

7 loc. cit.

8 ibid., p.51
... at no very distant date the present population will either die out or become much reduced ... it will be necessary to replace them with a foreign population ... I can see no reason why these foreigners should not be of British descent .... but titles must be defined and ownership ascertained before any steps can be taken in the direction of colonization .... The only hope is that the Federal Council may be induced to pass ordinances which will enable the Resident Commissioner to enforce a certain amount of industry and foresight. If that officer has the power ... something may be done, but nothing less than stern authority can overcome the natural careless indolence of the Polynesian in his own home.9

His recommendations were designed to achieve three objectives. Firstly, he sought realignment of the land tenure system to give security to small cultivators.10 This was to be done without injury to the chiefs if possible; otherwise by stronger measures, including recourse to the New Zealand Parliament. Secondly, he wanted a survey of tribal boundaries to ascertain the amount of land available for European settlement. Thirdly, there was the urgent need to put the administration on a sound basis by replacing 'native officials' with Europeans or, where this was impracticable, by ensuring some form of European supervision.

With the first of these things done, Gudgeon expected that smallholders would have the incentives needed to increase production. Moreover, the 'waste land' would be leased to a core of hard-working settlers who, by their superior industry and agricultural techniques, would provide an example to Maori planters.11 For the realization of these aims, the Land Titles Court was a vital institution. It would provide the means and, with sufficiently wide terms and himself as Chief Judge, the additional authority to implement his schemes. In January 1902, Seddon told Gudgeon the Government favoured his ideas. He asked him to prepare a draft Order-in-Council embodying such powers and functions as he considered should be conferred on

9 ibid., p.55.

10 ibid., p.48. Gudgeon could see no hope for improvement until each cultivator had 'his own plot assured to him either in fee simple or by perpetual lease at a nominal rent'.

11 Gudgeon believed that, after allocation to Maoris, 2-3,000 acres would be available for European settlement on Rarotonga alone. He evidently hoped for a new type of settler, for his opinion of most of the European planters in Rarotonga was anything but complementary.
the judges, taking as his guide practice in the Native Land Court in New Zealand. 12

Before the Land Court was established, however, Gudgeon's frustrations over economic issues and the administration of justice had focussed on the Ariki Courts. His conclusion was that 'an equitable and satisfactory court could not be obtained with the present system'. He regarded the judges as partial, often corrupt: he knew of no instance in which a native judge had proved 'superior to temptation', and he despaired of making one 'understand that all men are equal in the eyes of the law'. 13 If the judges were not imbeciles or senile or thieves they had an unrelenting eye to their own interests.

It was particularly in the matter of succession and the adjudication of land disputes that the Ariki Courts most irked Gudgeon. These had a direct bearing on land usage and chiefly supremacy and, if left, would thwart his land reforms. His own interpretation of custom, partly as a reaction to the 'feudal' attitudes of the ariki, helped to shape Land Court judgments later and was the basis also for his attack upon current practice. He reasoned that the 1901 Act had removed the High Court's jurisdiction over land matters and until the Land Court was constituted he was powerless to investigate numerous cases of abuse. This situation underlined the necessity of appointing to the islands Resident Agents who would 'receive and forward complaints and report any eccentricity on the part of Judge or Ariki ...'. Their mere presence would tend to keep affairs in order, for all the leading men feared appeal to the High Court. 14 As a step towards breaking up the Ariki Courts, he recommended also that Resident Agents should be ex officio Justices of the Peace. 15

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12 ibid., p.46, Seddon to Gudgeon, 29 Jan. 1902.
13 ibid., p.53, 'Report on the Trade and Social Conditions'. Ngamaru, Judge at Avarua, was the one exception who returned a correct account of court revenue. However, Gudgeon said scathing things about him elsewhere. The missionaries tended to agree with Gudgeon's estimate of judicial defects.
14 ibid., pp. 53-54.
15 ibid., p.57, Gudgeon to Seddon, 4 March 1902.
At the same time that Gudgeon was making proposals for future legislation, he had given much thought to ways of implementing his policies in terms of what he knew of Maori society. His analysis was concerned with those aspects which he considered inimical to economic development in order to find out by what means and to what extent a restructuring of attitudes was possible. He recognized that it would not be easy to formulate policies that would both meet with the approval of the 'Natives' and realize the trade potential anticipated by New Zealand. There were inherent difficulties in dealing with

... the Polynesian who is at all times described by his friends as lazy, sensual and thievish. The situation is therefore serious, for we can say with authority that they will not help us to improve matters, we may even have to force them to help themselves.16

Moreover, the Maori lacked knowledge of the law of supply and demand and had become resentful of traders. Gudgeon blamed the IMS for its failure to encourage the planting of greater quantities of the staple crops and for neglecting to instil work habits which would have given the people 'continuous prosperity'. Had there been any member of the Mission with the ability and foresight of Shirley Baker of Tonga, things would have been different; as it was, the missionaries had been content, in his opinion, to require only that the people sing 'the requisite number of hymns and pay their subscriptions with regularity and despatch'.

Gudgeon held the IMS responsible not only for the tyrannous form of government that had resulted from the union of church and state, but for supporting 'land-grabbing' chiefs and for placing the welfare of the Mission above that of the people. He felt also that Moss's struggle with the Mission, and his attempts to replace the rule of persons by the rule of law, had not been settled decisively. Until the Mission's 'hunger for power' and its influence over the chiefs were broken, its malign and sly influence would persist to the detriment of his own reforms.17

17 ibid., p.40. The most forthright of his attacks on the IMS is contained in GP, 662/E, 662/F. In many respects Gudgeon oversimplified the IMS role and its hold over the chiefs. He underestimated its efforts to achieve some of the aims he had set himself. See Appendix B for a brief account of Gudgeon's attitudes to the 'missionary kingdom', together with an outline of some of the mission's problems.
The Resident Commissioner thus assigned three causes for the 'want of energy and prudence' of the people: the insecurity of their title to land, their racial indolence, and the depressing nature of the government—partly feudal and partly religious—under which they had lived for the past seventy years.

Gudgeon's problem was to make each producer a small capitalist. If the Maori could be induced to work for six months each year instead of three, this would bring him wealth and also satisfy those Europeans who complained that they could be doing more business. At the same time he admitted that it would be unrealistic to ignore the Maori point of view altogether for, as he said, 'I cannot help seeing that the Natives hold their own views on political economy and that their views differ from ours.'

Gudgeon also appreciated the strength of Maori adherence to their own values as against European notions of justice and administrative efficiency. In the matter of justice, for example, though he oversimplified, he recognized

A chief or indeed any man placed in authority can by no means understand why he should be punished for small peculations. He thinks that the fact of his being placed in a position to speculate is sufficient excuse for so doing, and this is a view that is taken by all the aronga mana of Nangaia, who have for years robbed the Federal Government by appropriating the fees and fines of the Courts. What however can be expected from a people whose missionaries have participated in the fines inflicted by the Courts—for the most part on adulterers.

18 'Autobiography', p.40. Though Gudgeon had conceded that the Polynesian was not a lazy man when he saw the necessity for work, he did not examine some of the reasons why the islanders might not have worked as hard as they used to do before disease had decimated the population. Recent investigations have revealed terraces on the hillsides of Rarotonga and have shown that, to support a population anywhere near John William's estimate, hard and continuous labour would have been required. Neither did Gudgeon examine the economics of a hierarchical society that required an agricultural surplus for political purposes. See, for example, Marshall D. Sahlins, 'Poor Man, Big Man, Chief; Political types in Melanesia and Polynesia', in Andrew P. Vayda (ed.), Peoples and Cultures of the Pacific, New York, 1968, pp. 170-5.

19 'Autobiography', p.41. Though he ignored the tension between local and central authority that lay behind the Mangaiian action, elsewhere Gudgeon showed that he was aware that justice was merely another facet of the authority structure influenced by kinship, status and political considerations. Fines had not usually been shared with the missionaries.
It was one thing to appreciate these views and quite another to induce the islanders to modify their habits. The Commissioner had concluded that 'force' might have to be used; but he was aware also that 'Bell and the Parliament of New Zealand' were full of 'benevolent and interfering idiots' who would object to coercion of the Maori 'even for his own good'. The answer seemed to lie in Maori society itself. In the matter of coercion, Gudgeon regarded the Maori as more reasonable than Europeans in that he was likely to suspend judgement to see how things turned out.

The social system obviously provided leeway for manipulation. For all his strictures against the old 'missionary' form of government, Gudgeon recognized that a large percentage of the present generation preferred that system to European rule. He therefore believed that firm and even harsh authority could be tolerated and instanced the tyrannies perpetrated on Aitutaki by the Rev. Henry Royle, who had concentrated in his person the power of the ariki whose individual rule he had broken. It was food for thought that, even so, Gudgeon had never heard them speak other than respectfully of Royle and his methods. Moreover, production in Aitutaki, he noted, contrasted sharply with the situation in Barotonga.

Gudgeon's thinking in 1902 merely confirmed his previous conclusion that the ariki were a barrier to reform, and that drastic changes in the authority structure were necessary to loosen the chiefly stranglehold over land. He was satisfied that his prestige was such that he could manipulate and coerce the chiefs. Damaging use could be made of the conflicting interests of the ariki and their people who, in his opinion, stood to benefit from a decline in chiefly authority. A fair degree of coercion was needed and would be tolerated where the people trusted their 'Papa' and were assured of substantial material benefits.

Much of this reflected earlier New Zealand experience. It was Gudgeon's task to persuade the Minister and Parliament to revert to frontier attitudes and land policies which, in the relative euphoria following the 1900 legislation, had temporarily become an embarrassment. But Gudgeon had been given tenure as a result of Seddon's confidence in his ability to fulfill the glowing predictions made for the islands. The Premier was committed to implement Gudgeon's further recommendations.

20 ibid., p.40. 'He would say his Papa knows the Maoris and unless we are made to do these things they will never be accomplished'.

21 ibid., pp. 40-41.
It had become obvious, however, that the basis for a more enduring legislative framework for the islands could not be devised before the temporary 1901 legislation ceased to be effective. The Bill brought down in 1902 therefore provided that the 1901 Act should continue in force for a further two years. It also validated the ordinances assented to by the Governor, and empowered him, through Orders-in-Council, not only to extend New Zealand legislation to the Cook Islands, but also to make such modifications as were considered appropriate.\(^{22}\) One of the most extraordinary features of this and other debates on the Cook Islands—apart from scanty attendance—was the consistency of the Government's failure to provide information which might have enabled members to deal with the subject more efficiently.\(^{23}\) Herries was probably right when he said that Parliament knew more about the Cooks before annexation than afterwards, and that newspapers gleaned more information than was available to members.\(^{24}\)

The Acting-Premier, Sir Joseph Ward, argued that time was needed if the islands were not to be burdened with immature proposals. The matter of Cook Islands representation in the New Zealand Parliament had not been included as the Government was not yet prepared to submit firm recommendations. In the meantime, continuation of the Act kept the options open.

Parliament again turned its attention to what kind of government was best suited to the islands. The pessimism of Gudgeon's reports had seemed to make nonsense of Seddon's earlier claims. Gudgeon was criticised personally and his administration vigorously attacked. His proposals seemed

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\(^{22}\) Cook and Other Islands Government Act Amendment Act 1902, s. 3(1). See also AJHR, 1902, A-3, p.28, Seddon to Gudgeon, 24 Sept. 1901. This appears in two different versions (Items 45 and 48), indicating that it was to the Resident Commissioner that Seddon initially intended giving the power to modify New Zealand laws applied to the Cook Islands.

\(^{23}\) In introducing the Bill, Sir Joseph Ward had felt constrained to spend more time in explaining the absence of documentation, thus anticipating the hostility of the House, than in clarifying its provisions and purpose. Some of the papers were said to have been confidential. They contained information concerning the theft of Cook Islands Government funds.

to many members to constitute a threat to the islanders out of all proportion to the economic importance of the group. There emerged strong though unco-ordinated support for a policy of minimum intervention. It was advanced not only by the economic sceptics, but also by those who thought annexation a colossal blunder and an expensive aberration; by those who were unconcerned with the legal or political implications of the extension of boundary; and by those who felt it morally incumbent upon New Zealand to leave island affairs to the islanders. Non-interference was advanced also by a small group with oddly mixed motives, who asserted that education rather than legislative influence was needed - that English laws and values would prove to be no more beneficial to the islanders than they had been to the New Zealand Maori; and that, being 'primitive in the extreme', they should be left 'to work out their own destiny under the operation of their own simple laws'.

The question of future government for the islands was not as open as Ward's assurances indicated - except insofar as the mood of the House provided a possible brake on innovation. Members indicated that they would not support parliamentary representation - about which the ariki had not, in any case, been consulted and to which they were quite opposed. It was thought that the islanders were too primitive to benefit or to contribute anything. One member suggested the group could be included in a metropolitan electorate, preferably in Auckland, with provision for only white residents of the islands to vote initially. Another was opposed to special representation on the grounds that it would work to the disadvantage of the Maoris - as it had done in New Zealand - because European members could ignore Maori matters in which they were not electorally involved.

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25 ibid., Meredith, p.461. See also Monk, who felt that a missionary should be sent who would leave the Maoris alone but correct their 'bad habits' (p.453).

26 Hone Heke, who no doubt thought that this was in accord with island opinion, insisted that the promise of representation made in 1900 should be honoured. ibid., Vol. 122, p.631. Heke also voted in committee against the modifications of New Zealand laws and tariffs (p.272).

27 ibid., Vol. 121, p.455. Pirani.
The one suggestion from the floor of the House that received widespread support was that as many members as possible should pay a familiarization visit to the islands.

The 1903 parliamentary visit

On 16 April 1903, a party of 33 members from both Houses of Parliament left Wellington for Rarotonga. It was led by the new Minister in charge of Cook Islands affairs, C.H. Mills. The purpose of the visit was to assess the 'capabilities and prospects of the annexed territory and the lines it would be best to follow to ensure the most successful administration'.

There is no way of knowing how the Resident Commissioner prepared the people for the visit. There were no complaints from the Rarotongan ariki, who assumed that the purpose was to convey to them 'the wishes of the Government of New Zealand' rather than to hear their opinions. The ariki did state, however, their firm opposition to European representation either on their own Councils or in the New Zealand Parliament. They requested protection of Cook Islands produce; they wanted more schools and facilities for training teachers; and they expressed their opposition to the sale of land.

Mills promised to place their requests before Cabinet. In regard to the fruit trade, he remarked that it was not in the interests of New Zealand

28 AJHR, 1903, A-3B, 'Report of the Visit of Members of the General Assembly to the Cook and Other Islands; with Notes of Conferences with the Natives', p.2. Ranfurly's request for a British man-of-war had come to nothing. The reasons for wanting such support were stated by Ranfurly in the following terms: 'As this is the first visit by the Minister responsible for the government of these islands, my advisers consider that it would be best, in the interests of future government, for the natives to see that this visit was fully endorsed by His Majesty as taking place in a man-of-war'. ibid., A-1, p.9, Gov. to CO, 7 Oct. 1902.

29 ibid., A-3B, p.4. Pa Maretu acted as spokesman for the assembled ariki.

30 Representations had been made earlier regarding the necessity for a protectionist policy for the Cook Islands fruit industry. See ibid., 1904, A-3, p.5, petition by Makea and 42 others to Resident Commission, 16 April 1903; Gudgeon to Mills, 23 April 1903, Gudgeon was opposed to any extension of the education services except for a 'normal school'. ibid., p.5, Gudgeon to Mills, 2 April 1903.
to see the group suffer from competition with other islands with which she had no connection or loyalty. He endorsed the need for education, explaining in almost 'cargo' terms that not only was knowledge 'power', but that it opened the door to the world. He advised the ariki to lease unused land to 'respectable Europeans'; the results would mean wealth and better communications with Auckland.

After they had read Gudgeon's reports on ariki attitudes to land, it was to be expected that members of the party would be interested in testing chiefly opinion on land-holding and the conditions under which their people could be evicted. Pa's answers demonstrated the rights of title-holders and the obligations of the family networks but he maintained, contrary to Gudgeon's assertions, that there were few who did not have a clearly defined 'right' to land through family relationships. Eviction for disregarding obligations to the ariki was fairly rare and enforced only after repeated warnings over several years. 31

The meetings concluded with mutual assurances. Mills assured the ariki that they had 'a good friend' in the Resident Commissioner. Pa assured him that the people had great faith and trust in the Government of New Zealand.

The session was more lively at Mangaia. The discussions there illustrate both the resentment felt at attempts to weaken island autonomy and the ambivalent attitudes towards Gudgeon and Rarotonga. Possibly at Gudgeon's request, Mills laboriously explained the procedure whereby local legislation had to be sent from Mangaia, through the Commissioner to the Minister, and thence from him to Cabinet and the Governor for approval. This did not accord with the position the island leaders chose to maintain. They requested that Council laws be sent direct to New Zealand. In most unfortunate but accurate terms Mills was forced to labour the point that it was necessary to recognize 'the constitutional authority at Rarotonga':

You must understand that among the number of islands the Government must have someone as the great Ariki ... to read the laws carefully through and advise us about them.

31 ibid., 1903, A-3B, pp. 7-10.
Even the Rarotongan chiefs would have been uneasy, but this struck an instant chord. The Judge, Miririgitaangi, commented that he had heard 'Colonel Gudgeon is chief over the Cook Islands...'.

Discussion thereof took a turn which is the administrator's nightmare. Gudgeon had demanded that Court revenue be sent to Rarotonga. The Mangaians wished to retain it and declared that they had never received an annual statement of accounts, though in Mass' time this had been received and read. In the end Mills himself promised Miririgitaangi the 'true accounts henceforth'.

The attack upon Gudgeon strengthened his arguments in favour of European Resident Agents - as did the subsequent complaints about Miririgitaangi's competence as a judge. These provide an excellent vignette of the kind of justice Gudgeon had inveighed against and of the community tensions which assisted him. A speaker complained that Miririgitaangi was charging the people under 'illegal laws', beating them and causing trouble over land. Miririgitaangi replied that Gudgeon himself had encouraged him by telling him that 'a man who is brave and courageous in war was above a king, above a governor, above a judge, or any similar person'; and that on account of these words he had 'thought it was good when a man like Tai made trouble about the land to sit down on him'.

Even if, as Gudgeon said, his words had been misunderstood, Miririgitaangi's view of his role as a strong, convincing decision-maker, and his belief that Gudgeon supported him, illustrate a totally different concept of justice. This was true also of other judges who decided issues by criteria other than an abstract appreciation of alien principles of justice. At the end of his report the Minister stated that a Resident Agent was to be appointed to the island in which case 'native judgements

33 ibid., p.13. Gudgeon maintained that the accounts were published in the Gazette, whether the Mangaians received them or not. The newspaper which had once carried such information had been discontinued by him.
34 ibid., p.14.
in Mangaia will be abolished. 35

The recommendations put forward by the Minister on his return were neither penetrating nor novel; they relied heavily upon Gudgeon for facts and attitudes. This was due, in some degree, to the rushed nature of the trip. 36 Mills' appreciation of land usage, development incentives and the work of the Land Court paralleled Gudgeon's own. It is not clear whether he shared the Commissioner's belief that the islanders would die out, but he agreed that the work of 'enterprising colonials' in the 'vast greenhouse' of the islands would underwrite increased prosperity. He thought the islanders a well-developed, generous-hearted, intelligent people who needed only European guidance to make better use of their lands.

On the future administration of the islands, Mills cautioned that no 'comprehensive and permanent scheme' could be thrust suddenly upon a people used to a primitive system of government. Any material changes should be made slowly while the islanders were 'becoming educated to see the necessity for them'. Future progress he thought, should be based not only on immediate returns, but also on the 'higher ground of Imperial Policy'. 37

Mills appeared to share the gradualist approach of his colleague, James Carroll. New Zealand policy towards the Maoris had been as utilitarian and ill thought out as it was in the Cooks, but, insofar as politicians were prepared to think ahead, the aim was the assimilation of the Maori into all aspects of European society. Carroll's objective was to slow this process to allow adjustment and accommodation; to gain full equality for

35 loc. cit. Gudgeon had made this recommendation in Gudgeon to Mills, 31 March 1903, AHR, 1904, A-3, p.3.

36 Mills admitted (in a Memorandum attached to the Members' Report) that because of the extended itinerary the time spent at each of the islands was 'barely sufficient for a full discussion of the matters the Natives and the Resident Agents had to bring before me', ibid., 1903, A-3B, p.32. The itinerary included, beside the Cook Group (Rarotonga, Aitutaki, Mangaia, Atiu, Mauke, Manihiki, Penrhyn) and Niue, Papeete, Tutuila, Apia, Vavau, Nukualofa, Suva and Levuka.

37 ibid., p.34.
Maoris. His attitudes were based upon an appreciation of the disruptive effect of massive change. In respect of the Cook Islanders, Mills' appreciation was less acute. He failed, for example, to see the significance of changes already made to the 'primitive system of government', or the threat to island society of a policy based upon the exploitation of land.

For the Cook Islands there was no such long-term policy as for the New Zealand Maori. Mills had not indicated specifically what the Maoris were being educated up to; nor what was the basis of 'Imperial Policy'; nor at what stage the 'guidance' of Europeans might be expected to end. The only indication of intent was perhaps to acquaint the Maori with European government and legal values - a tutelage without set limits and without participation. While sympathetic to Cook Islands aspirations as far as trade, health and education went, the Minister saw the future of the islands in terms of the direction Gudgeon had already set for them.

The afterglow

The Cook and Other Islands Act Amendment Act, passed in September 1903, corrected several anomalies which had become clear during the visit of the Parliamentary party. It rectified the irregularity stemming from Gudgeon's failure to consult the existing provisions when reconstituting the Federal Council; validated the Council's ordinances; and provided for the extension of its term to the end of 1904.38

The themes which dominated the debate stemmed from the experiences and observations of the Parliamentary party. There was a greater appreciation of the difficulties and pitfalls in legislating for the islands; firmer alignment over the question of land and an insistence on native rights and non-alienation. The 'primitive children' and 'stern guidance' school of thought had - at least temporarily - been seriously weakened. Members had only been deeply impressed by the islands experience. They had discovered what Gudgeon had not told them - that the islanders possessed great charm, intelligence and physical beauty. Consequently, there was a

38 As a result of Niuean complaints, the Act also established a separate administration for Niue and a Resident Commissioner responsible directly to New Zealand. As indicated earlier, Gudgeon had sensed that there might be trouble with the Niueans, hence his stratagems during the annexation proceedings.
reluctance, underlined by a slightly heavy romanticism, to disturb a
dstyle of life that excited both admiration and concern. However, though
members felt that the Cook Islands situation compared more than favourably
with that in Tahiti, German Samoa and even New Zealand—they were more
easily agreed upon what should be avoided than on what should be done.
There was no great opposition or alternative to Mills' advocacy of a
piece-meal, go-slow approach to change. 'Change to what end'—this was the
issue about which there was still misgiving and conflicting opinion.

The only Maori member of the party had been the member for Southern
Maori, C.W.Parata. More than any other he had been able to talk
spontaneously with the people. His recommendations might have been expected
to be the sounding board for frustrations that a Maori ear alone might
have detected. In his plea for legislation in the interests and welfare
of the people—with emphasis on such ameliorative measures as education,
sanitation and the propagation of the Christian faith—there is evident
the trend away from political protest then current among the most influential
Maori leaders. However, Parata favoured absolute restrictions on the sale
of land. His comments revealed that the land question—and probably the
activities of the Land Court—were concerning the islanders. He had
congradly been asked about the land situation in New Zealand and how the
Government managed Maori land matters:

By explanation was that our lands were all restricted, but that
the Maoris were allowed to lease certain of their lands. At
the same time I pointed out that a quantity of land had been
sold by the Maori people to Europeans, and, further ... that if
it had not been for the Maori and European living side by side
the Maori would never have arrived at the state of advancement
and knowledge which they now possessed. I told them many things,
and, amongst others, that the race above all others that have
showed kindness and consideration to the dark-skinned race was
the British race. I went on to tell them that I had been for a
number of years a member of the Parliament of New Zealand, and
that I spoke from personal experience when I said that the
British really had the interests of the Native races at heart.39

39 NZPD, 1903, Vol. 125, p.780. This contrasts sharply with Rigg's
earlier accusations against the British and his reiteration in
this debate of the fate of 'dark races' before white men when
they competed for the same commodity. ibid., Vo. 126, p.484 (L.C.)
Moreover, at this time Parata's own constituents were expressing
their discontent over official handling of land reserves. See
Roland Jellicoe, The New Zealand Company's Native Reserves,
Wellington, 1930.
If this were an accurate account, one not toned down for a white parliamentary audience, his comments on land must have puzzled the islanders, contrary as they were both to the advice of the LMS and to what they already knew of the land troubles in New Zealand. He had clearly adapted to a situation over which Maori opinion had been seriously divided. Some Cook Islands leaders were beginning to make the same kind of accommodation.

An impressive unanimity emerged among the members, concerning certain grievances put to them by the islanders but not mentioned in Mills' Report. In particular, they found that what the people had understood by annexation had not been borne out by subsequent events.

The most specific and numerous complaints concerned Niue but these were said to be true also of other islands in the Cook group. First was the contention that the people had believed (and had not been led to believe otherwise) that the islands had been annexed directly to Britain 'and not to New Zealand'. Secondly, they believed that the previous style and autonomy of island governments would continue. Of the Cooks it was said:

We found as we went from island to island that the desire and the idea of the Natives was that they should be brought under the flag of the Great Queen Victoria because they believed that by doing so they would be protected from all foreign powers, and they would have greater liberty under the English Empire than any other.

Except at Mangaia (and in contrast to Niue), most of the members had been led away from a close study of the Cook Islands situation because of the quiescence of the leaders. Rarotonga had become the object of criticism and resentment as the seat of government, but otherwise the islanders often seemed reticent about any specific complaints against the administration. Their resentment seemed to be focussed backwards - possibly because the working of the present system had not yet become clear. Furthermore, the Resident Commissioner accompanied the party and it was said that 'neither

40 MASP, 1903, Vol. 125, p.778, Major. See also Arnold, pp. 773, 775; Fouldis, p.763; Barber, p.776; Parata, p.780; and (Vol. 126), Horan, p.458; Carncross, p.487; and Marshall, p.493.

41 ibid., Vol. 125, Arnold, p.775.
Europeans nor Natives would speak openly in his presence'. Even so, the contention was heard in the debate that the Cook Islands had lost control over their own affairs to Wellington. Complaints were made that too many white officials of doubtful quality were being appointed, thus reducing Maori participation in government; that the administration was too 'severe'; and that the islands were being 'over-governed'.

It was Seddon, however, during yet another re-airing of the concerns of the Mass period, who conceded the point, and made the distinction that many of the islanders had been trying to make:

At the time [1898] the islands were not under our control at all. They were under Imperial protection, and had a government of their own...

There is, therefore, evidence to support the view that, whatever the opinions expressed by the Rarotongan ariki in 1903, other islanders felt they had already lost the autonomy at both local and federal levels that they had believed would be retained after annexation. The failure of the Rarotongans to voice their own misgivings, which they knew also to exist in other islands, lost them the opportunity of forcing some modification of the system. The Parliamentarians had been left in no doubt about Niuean grievances, the legitimacy of their demands or their capacity to make trouble. In a sense these grievances were less real than those that could have been advanced by the Rarotongan or Mangai'an ariki on the strength of the more elaborate promises made to them. But firmness and tenacity won out on Niue where courtly behaviour failed on Rarotonga.

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42 loc. cit. Consequently, Arnold maintained, the information members received privately was of greater weight than that received by the Minister.

43 loc. cit. See also J.C.Thomson, p.767; and Rigg, who maintained that an 'oppressive morality' was being imposed. Attention was drawn also to the fact that, while Europeans were replacing Maoris, there were well-educated graduates from Tereora School for whom there were no clerical or teaching outlets.

44 ibid., Vol. 126, p.383. Seddon continued, 'In fact, I am not sure whether it was not a British Protectorate. At all events, there was a High Court and Chief Judge, who was the British Resident'. Seddon had always attempted to ignore the Protectorate but he had never been so extraordinarily vague.
Many Parliamentarians were by now pessimistic about the economic benefit of the islands. For this reason, and with a more sympathetic view of the people, they were willing to give their humanitarianism freer rein without, in the last resort, altering a system which they acknowledged had begun to operate against the interest of the Maoris. Parliament appeared to have become a more vigilant, if confused, watchdog.

Mills concluded that there were an insufficient number of Acts to bring down a consolidating measure, 'besides which a great deal of the necessary information has yet to be acquired'. With Seddon behind him he was committed to a steady development of the economic potential of the islands and was willing, within limits, to countenance administrative measures that advanced this objective. The Government was, therefore, still heavily dependent on the judgement of the man on whom the islanders themselves depended for advice, and to whom the responsibility was entrusted to produce the results that would justify the annexation.

45 ibid., Vol. 125, p.784.
The politics of coercion

In a sense, Gudgeon's task was more difficult after 1903. The conditions which had given him a special position and cemented his relationship with Seddon had passed. Mills was sympathetic to his problems and supported objectives that were mutually advantageous; but he was apprehensive of the Commissioner's impatience and unduly aggressive methods. Mills himself was politically more exposed. His knowledge was superficial and derivative, his staff and facilities rudimentary; and he had other ministerial duties. Great reliance therefore continued to be placed upon Gudgeon's judgement. But Gudgeon was not now the sole repository of knowledge about the Cooks. As Resident Commissioner in the islands his influence was great. As a public servant whom Parliament had made a special target, he was vulnerable.

By the end of 1903 a considerable amount seemed to have been achieved. The economy appeared to have become more bouyant since the Commissioner's pessimistic reports of 1901 and 1902. Comprehensive agricultural studies were now at the disposal of the government. The Land Titles Court had been established and the ariki were believed to be more inclined to lease land, so that European settlement appeared feasible. Above all, the way seemed to be open to making land available to eager Maori peasants. Administratively, Gudgeon had consolidated the central government in which he had formidable powers. Considerable progress had been made - without the Federal Council's blessing - in the replacement of native with government-appointed officials throughout the group. An end could be expected to what Gudgeon regarded as the corruption, inefficiency and self-seeking that had been a barrier to the extension of the rule of law.

The Land Court was to be the engine of change, but the ariki and those who had grievances against them had to be induced to approach it. The Commissioner depended upon the support of the ariki not only in their official roles as legislators and dispensers of justice, but also in the many-sided functions stemming from the exercise of their hereditary

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1 The Land Court had been set up by an Order in Council (which Gudgeon drafted) in July 1902. See AJHR, 1903, 4-5, pp. 6-10. Gudgeon's New Zealand experience is evident in the provisions - a particularly revealing one being that which imposed penalties for the obstruction of surveying.
powers. In the dispensing of justice and in their exhortatory roles within the community they fell increasingly short of what Gudgeon expected of them. It seemed to him that they were intransigent and wilfully obstructive of the lawful and economic requirements of a forward-looking society.

Growth of resistance

In addition to the land reforms he wanted, equally necessary incentives were adequate shipping and the protection of Cook Islands produce in New Zealand. Except for the possibility of New Zealand legislation, the achievement of his land reforms was an internal matter. For the other incentives Gudgeon was dependent upon the energy of Mills and the support of the New Zealand Government, which had not taken any action apart from providing the small but expensive steamer, Countess of Ranfurly.

Although the Land Court and survey work were proceeding, Gudgeon became increasingly impatient at the rate of progress. The ariki failed to assist him by encouraging the people to put land through the court or by doing so themselves. The Island Councils were showing little zeal in the encouragement of planting; they were also placing illegal ra'ui over crops, to the detriment of European traders.

In the matter of the definition, survey and leasing of 'waste land' Gudgeon was meeting with no greater success, although his annual reports continued to be optimistic that European settlement would proceed. Each of the islands he had earmarked for settlement presented irritating problems. In the Titikaveka district of Rarotonga, where the land tenure system seemed most propitious, owners declined to lease the large areas which Gudgeon believed were available. Nor would they break up the unproductive Mangaian settlements there. On Atiu, Gudgeon realised that

2 Gudgeon was particularly concerned with the attitude of Makea in the Avarua district where land holding divisions and authority structure were unique in the islands. See R.G. Crocombe, Land Tenure in the Cook Islands. Melbourne, 1964, pp. 11-12.

3 In this area (within the Tākitumu district) Gudgeon estimated that at least 1,500 acres of productive land would support 30 white planters and their families. In addition to copra production, he expected that 'large numbers' of sheep and cattle would thrive on the plantation undergrowth and furnish fresh meat. AJHR, 1904, A-3, pp. 69-70, Annual Report for 1903-04, enclosure in Gudgeon to Mills, 11 April 1904.
no effort would be made to lease land until a European official was appointed; but the island produced too little to pay a salary. In Mauke, bitter religious factionalism associated with rival leadership claims had developed and there was resistance to the operation of the Land Court.4

When it came to the point, the ariki and large landowners saw that it was not in their long-term interests to lease. They were not averse to making money; but leasing, especially through a court over which they had no control, was just another form of alienation. Their own system maintained the mana ariki, their ties with the people, and the intricate web of informal controls. The ariki were as aware as ever that control over the land was the basis of real power.

Moreover, they were reluctant to assist informally in the enforcement of legislation designed to increase planting, which had been passed under duress. Uneasiness over the land must have been confirmed by the new pressures being exerted upon them. For example, where Gudgeon had once objected to Makea's own 'arbitrary' attitude to her tenants, he now attempted to impress upon her the necessity of inspecting her lands and of fining or ejecting those tenants who neglected the lands they occupied.5

Gudgeon was frustrated enough to have taken action on these grounds alone. However, his annoyance with the chiefs over land coincided with his dissatisfaction with them over the administration of justice.

The Resident Agents appointed to many of the islands had no judicial powers. Ariki Courts continued to administer justice as they had done for nearly 70 years. The establishment of the High Court in 1899 had limited their function in some respects and further limitations had been imposed by the various island statutes. In the outer islands, however, these were less heeded. Though Gudgeon had succeeded in abolishing the Ariki Court at Aitutaki, he had no power to do so elsewhere.

The Courts and their judges had always been an affront to the Commissioner's own notion of what justice should be. He had attempted earlier by threats and abuse to persuade the judges to change their ways. At the same time he had shown that he understood the value system within which they operated. It was therefore apparent that the substitution of European notions of justice was to be as difficult as the imposition of European ideas concerning land holding. Yet Gudgeon confused as well as insulted the chiefs by stressing equality before the law. They had risen above the requirements of the equivalent religious dictum by quietly absorbing it in terms of their traditional past and their new high status in the church. In addition, he maintained the equally offensive proposition that the law was designed for the support and succour of the weaker members of the community.

Since 1899 Gudgeon had known that if he openly pursued the goals he thought appropriate the ariki would oppose him with respect not only to annexation itself, but also to the implementation of his ideas. He had hoped that, with greater authority, through force of personality, persuasion and 'pressure gently applied', he could continue to manipulate them, nullify the most objectionable of their powers, and yet retain their loyalty and co-operation. But when ariki resistance threatened the very basis on which his economic policies rested - and thereby also compromised his own situation - he saw the futility of expecting them to assist with schemes that would undermine their position further. From 1902 onward, he attacked the ariki with increasing hostility and intemperate language. It seems clear that he was becoming convinced they could and should be dispensed with, except perhaps as traditional figureheads, in much the same way he had thought Togia of Riuie should have been 'pensioned off'.

In Gudgeon's attitudes towards the chiefs there may have been a personal dimension associated with his estimate of his own ability and leadership. That the ariki displayed more resilience and acumen than he gave them credit for should hardly have surprised him in view of the methods he used; he had said often enough that Maoris could be led but never driven. The ariki offended nearly all his values. He had little

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respect for any of them except Pa Maretu. He saw them alternately as spoilt children, oppressive parasites and saboteurs. He may also have suspected that they were a conduit for continued clandestine mission influence. Having defined the chiefs in terms of what he wanted, he may have felt personally insulted that opponents of such stature should continue to defy him and thwart much needed reforms. An attack upon the courts was therefore a means rather than an end. The question resolved itself into an overt struggle for the redetermination of authority.

There was much in Gudgeon's reaction to the preoccupation of the chiefs with their own prestige and political style that is reminiscent of Governor Grey's attitude toward the Kingite Maoris in the early 1860's. Both men felt their prestige to be at stake; both were concerned to assert the 'rule of law' and the supremacy of government; and both were under pressure to secure European economic dominance. They also shared certain personal idiosyncracies - including democratic inclinations but autocratic temperaments, and unshakeable faith in their own convictions and judgement. In the politics of Gudgeon's struggle with the ariki there is an almost weird replay of frontier tactics except that parliamentary support for the subjugation of the Cook Islanders was less wholehearted than it had been in the case of the New Zealand Maori.

After simmering for some years, the issue which was to precipitate the Commissioner's final recommendations concerning the ariki courts came to a head in Mangaia. Here some of the chiefs plainly showed their discontent with the presence of Europeans, their opposition to the formation of an island council, to court surveys and, most of all, to the new Resident Agent. Gudgeon cautioned troublemakers that the New Zealand Government was not to be intimidated, and promptly suspended the judge, Hiringitaangi, castigating him for unfriendliness towards Europeans. He suggested replacing Daniela Ariki by reinstating another chief who had 'suffered by reason of his leasing lands to Europeans'. He urged on the Minister the necessity of abolishing the Ariki Courts and placing the

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7 AHR, 1904, A-3, pp. 37-38, Large to Gudgeon, 5 Nov. 1903, enclosure in Gudgeon to Mills, 15 Nov. 1903. Large, the Resident Agent, described the hostile reception he received even after he had presented his credentials from the Governor and the Minister, and outlined his 'long connection with and attachment to the Maori race'.

administration of the law in European hands.\(^6\)

In his annual report he made a number of recommendations for the future government of the group. To unlock the 'waste lands' to the Court for leasing and to induce greater production generally, he proposed the compulsory survey of all land and the definition of titles, together with the imposition of a tax on unimproved land. He also sought authority for lagoons and pearl-shell to be declared the property of the Crown. He repeated his request for the abolition of the Ariki Courts wherever there was a Resident Agent. Prompted particularly by the continuing recalcitrance of the Mangaians, the Commissioner proposed further that all Island Councils should be reconstituted; and that, because they had been satisfactory only where they had been 'controlled by and under the presidency of a European officer', the Resident Agents should be made *ex officio* Presidents of the Councils.\(^9\)

In the months that followed Gudgeon's assessment of what measures were necessary was, in his view, borne out by evidence of continued resistance to change - both on Mangaia and elsewhere. In exasperation at events on Mangaia, Gudgeon asked the islanders why they 'attempted to stop the march of civilization, and indicated clearly to them that they were merely destroying the native mana of Mangaia'.\(^10\) In regard to the islands, he was especially annoyed by what he considered the improper use of the *ra'ui*. In the northern atolls of Manihiki, Rakahanga and Penrhyn, it was still being used against the interests of European copra and pearl-shell traders.\(^11\) Indeed, now that there were Europeans on every island,
Gudgeon thought it necessary to provide 'some properly constituted authority to whom they may apply in the event of trouble'. On Mauke, the ya'ulu was now being used as a retaliatory measure against those who resorted to the Land Court. This brought forth a reminder to the ariki there that authority now rested 'in the hands of our King and Parliament', not of the Cook Islands Government, and a threat that the Commissioner had power to deprive them of their rank. Reporting on the Mauke incident to Mills, Gudgeon said that the majority of the people had outgrown the 'old system' now being upheld by a 'few useless and obstructive chiefs' in their own interests. He concluded that it 'must give way before the exigencies of our civilisation'.

Meanwhile, he received a copy of the Cook and Other Islands Government Act Amendment Bill 1904, for which his recommendations had been intended. He felt constrained to express his disappointment that, in its land provisions, the legislation did not go far enough. As he explained to Mills,

I naturally wish to rush this and other islands into a better position than they now hold and this can only be done by taxation on unimproved land and the power to call on all landowners to put their lands through the Court.

This worried the Minister. Hitherto Mills had been content, with occasional cautions, to support the Commissioner's proposals and to rely upon his judgement. It was obvious that he had not formulated any long-term policy in which political advancement for the islanders had a significant part and he was just as anxious as Gudgeon to have obstacles removed from the path of rapid economic development. He had supported Gudgeon's actions in Manu'a and agreed that the Arika Courts should be abolished. He was later to concur also with Gudgeon's diagnosis of the situation in

12 Ibid., p. 32, Gudgeon to Mills, 10 Oct. 1904.
13 Ibid. and enclosure (Gudgeon to Te Au and Tammera, 10 Oct. 1904). Gudgeon warned them also that 'all you are likely to do by your foolish behaviour is to show the Government of New Zealand that the sooner the Arikis of Mauke are abolished the better'.
14 Ibid., p. 25, Gudgeon to Mills, 12 Sept. 1904 - 'but I can quite understand that a New Zealand Parliament will never understand that these people are mere children, and that if they are to progress the progression must be forced upon them'.
15 Ibid., 1904, A-3, p. 61, Mills to Gudgeon, 18 March 1904.
Mauke, and to be ready to give his consent, if necessary, for the Commissioner to inform recalcitrant ariki that any opposition to the Resident Agent would 'deprive them, in the eyes of the New Zealand Government, of their authority as Ariki'. But he was responsive enough to parliamentary opinion to know that forced progress in land matters entailed too great a risk politically and practically. To force the ariki to the Land Court might 'possibly be regarded as an infringement of the terms and conditions of annexation'. Hills also instructed Gudgeon that his proposal for taxation on unimproved land, and another for taking a strip of land around the coast of Rarotonga as a government reserve, should be held over 'for the present'.

Gudgeon's reply is an extraordinary document. He maintained that his desire to hasten progress was not only natural but that, unwilling as the people were to exert themselves, they not only expected the Resident Commissioner to command their efforts but they would revile his administration if he did not do so. The only thing he had ever attempted to force upon the people was sobriety, and to that extent his action had been endorsed by the New Zealand Parliament. Any odium that he might incur would therefore be the result of his 'prohibition' laws, not of any action he might have taken concerning the land. Gudgeon contended that he knew the people so well that he could 'administer an unpopular Act without offending their susceptibilities'. He was not really anxious that an Act taxing unimproved land should be passed — even though it would cause the land to be planted or leased to Europeans. It would add to his responsibilities. Makea was not really antagonistic to 'anything' —

17 ibid., p. 39, Mills to Gudgeon, 28 Oct. 1904. Nevertheless, Mills authorised the Commissioner to discuss the latter proposal with the owners of the land, though he knew from Gudgeon that Makea was 'antagonistic'.
18 ibid., p. 49, Gudgeon to Mills, 23 Dec. 1904. The control of liquor had been a time consuming and explosive problem which had attracted additional interest since 1903. (I/T Letterbook 3/1, p. 39, Mills to Gudgeon, 13 Jan. 1906, enclosing Hobbes to Fowlds, M.H.R., 12 Dec. 1905) Gudgeon's statement was an oversimplification but it was true that the ariki were sensitive over the matter — though it might be said also that, by the time there was any reaction, ariki feelings had been compounded by many slights. In his Report for 1905-06, Gudgeon stated that the Licensing Act of 1904 reduced them 'below the level of Chinese'; '... they feel acutely the slight ... which ... deprives them of the old mana of a Native chief, and shows they have lost status by becoming British subjects'. ibid., 1906, A-3, p. 62.
but she does not desire to see the present condition of affairs altered in her time. So long as she lives she will do her best to prevent any of her people obtaining a title to the land they have occupied for the last twenty-five generations.

Gudgeon ended by saying:

From the tone of the discussion in Parliament it might be supposed that I was not on friendly terms with the people of these islands; such, however, is not the case. I am on friendly terms with every one on the island, whether Maori or European, and I am not aware that anyone has a grievance against me.

This cannot be regarded entirely as an exercise in self-delusion. If it revealed a tenderness about public criticism and his less secure position, it was also couched in a manner that was both a reply to the Minister and an address to a public and parliamentary audience for whom some of its contents were intended as a rebuff. It also implied that he had been directed away from far-sighted and beneficial policies intended to secure success for the Government’s economic aims. At the same time, he chose to stress the emotionally charged topic of liquor control, aimed no doubt at ‘the Congregationalist Fowlis’ and others in Parliament who supported enforcement; and he had made it appear that in this and other matters he merely administered ‘unpopular Acts’. It was an attempt to outflank external adversaries who, it appeared to him, were acting against New Zealand’s interest in the islands, and in ways that were bewilderingly different from their attitudes towards the land question in New Zealand.19

19 The letter was written after the 1904 parliamentary debate in which Gudgeon came under strong personal attack. E.G.B. Moss aired longstanding grievances including, among other charges of malpractice, Gudgeon’s imprisonment of his father’s paymaster, Makea Danielia, on rather slender grounds. Gudgeon had strenuously protested against a re-hearing of this case and his submissions were tabled in the House. Apart from the legal implications, the matter resolved itself into one of prestige. Moss’ case was weakened by his superficial attack on the missionary-style content of local ordinances which Gudgeon himself disliked, but which reflected the preferences and life-style of the people.
Tightening of control

Although the stronger land measures proposed by Gudgeon had been rejected, the 1904 legislation gave effect to most of his other recommendations. Permanency was conferred upon the principal Act. As from 31 March 1905, the Ariki Courts were to be abolished in those islands with European Resident Agents, to whom their jurisdiction would be transferred. From the same date, the Island Councils were to be reconstituted and the Resident Agents made *ex officio* Presidents. The Act provided also for the regulation of pearl-shell and turtle fishing reserves and for the taking of lands required for specified public purposes.

In both Houses of Parliament criticism was directed at the provision for the abolition of the Ariki Courts. While the eccentricities and shortcomings of the Courts were recognised even by the critics of this proposal, they felt that interference with the social system of the islands was being carried too far. However, most members were not prepared to countenance the deteriorating situation as portrayed over a period by Gudgeon.

In the matter of land, as Mills had predicted, the critics were more numerous and effective. Two clauses of the Bill, one seeking to declare all 'unappropriated lands' as Crown lands, and the other to validate the Order-in-Council of 7 July 1902 which established the Land Court, were withdrawn by Mills himself as a result of strong opposition, and accusations that much of New Zealand's legislation for the Cook Islands had been 'ill-
considered' and 'illegal'. Members were uneasy about the authority already vested in the Land Court and were opposed to granting it the kind of power implicit in the new proposals for 'unappropriated lands'.

Promises made at annexation regarding the land were being broken, it was alleged; and procedures humiliating both to New Zealand and the ariki were being resorted to in order to force the chiefs to act against their own interests. The Government, it was said, was attempting to justify its policy of annexation by adopting dubious means to ensure the financial viability of the islands. Linking to the land question the absence of any health measures that might arrest population decline, one member asked, 'do we wish the Natives to die away so that we may then possess their land?'

To most of these, and many other questions raised, Hills replied that time was needed to bring the islanders to a 'high state of civilisation', and that it was impossible to do more in the islands without 'an unlimited amount of money'. In the meantime, the legislation provided Gudgeon with the authority to resolve some of his problems; and, though the Parliament had declined to validate the Order-in-Council which established the Land Court, his powers as Chief Judge remained unimpaired for the Order was neither amended nor revoked. But the Government had neglected the issue of shipping and the protection of the Cook Islands' fruit trade upon which the ultimate success of its economic policies largely depended.

In giving effect to those sections of the 1904 Act concerning the Arika Courts and Island Councils, Gudgeon was in some cases circumscribed by local political considerations. In Rarotonga diplomacy was necessary. The Commissioner was loath to impair the goodwill of Pe Arika or to clash with Naken. Both remained as judges. On their deaths, however, charge

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23 Doubts had been expressed as to whether the Order-in-Council was ultra vires in terms of the 1901 Act. Gudgeon himself had sought clarification of some powers in 1903. See AHR, 1904, A-3, p. 45, Gudgeon to Hills, 16 Dec. 1903 and Hills to Gudgeon, 21 Jan. 1904, p. 52, where legal opinion was given that such were the 'very wide and important powers conferred by the Order-in-Council on the Land Court' that a validating clause should be inserted in the 1904 legislation.


26 ibid., 572.
would be guaranteed by omitting to appoint replacements. In Mangaia, he kept the judges as assessors, hoping to appease the people without affecting the 'efficiency of the European Court'. In Manuka, a 'reliable' ariki was appointed Resident Agent and judge as a means of saving expense— even though Gudgeon believed that the fractiousness of the people demanded a European magistrate. He reasoned that the persistent quarrels among the chiefs, which had already brought about the survey of disputed lands, would eventually open up the whole island to the Court and hence to European settlement. Further opportunities for re-modelling the system were presented by just such outbreaks of factionalism at both Rarotonga and Mangaia.

At Rarotonga, a quarrel between Karika's rangatira and Hakea led Gudgeon to predict, with some excitement, that the outcome of this 'long slumbering problem' would 'almost certainly affect the future position of the Arikis'. The dispute arose from Hakea's demand for tribute on behalf of her protegee, the new Karika Ariki, for the use of two mountain valleys. The rangatira concerned asserted that no tribute was due as the land had been gifted to them by a former ariki. Already resentful of Hakea's successful intervention in the recent ariki election, they approached the Land Court for investigation of their claims. Gudgeon remarked:

In taking this action the people are absolutely within their rights, but if they succeed in proving their right to the land, their example will be followed by half the island, and the Arikis' mana will be a thing of the past. The claims made will be test cases, and if the people succeed it will advance the islands greatly, for the people will then take an interest in their lands that is now wanting.

Gudgeon maintained that Hakea's own rangatira were not content with the land rights she claimed for herself, or with her judicial authority.

Following a meeting on 22 April 1905, called ostensibly to discuss the

dispute and the position of the ariki. Gudgeon advised the Minister that however conciliatory the remarks made by the ariki appeared, 'they will not be satisfied with anything less than an order forbidding the small people from bringing their land claims before the Court'.

There is other evidence for the background to this meeting. Many of the Land Court hearings had already become tests of ariki mana over, and 'ownership' of certain lands. During one sitting Makea had walked out of the Court. Sensing the threat to them, the chiefs had approached a long-term European resident, Thomas Shearn, with a request that he represent their case in New Zealand. The idea was dropped after Gudgeon had calmed the chiefs, and the meeting of 22 April was called to 'smooth things over'.

If this is so, Gudgeon's approach at the meeting was scarcely calculated to allay ariki feeling and he must have known it; hence his advice to Mills. The meeting had resolved itself into a confrontation of values: the customs the ariki sought to perpetuate, and the rule of law and 'good government' which Gudgeon intended to impose.

However, the Commissioner did make a concession to the chiefs concerning the current practice of open access to the Court, which he had regarded as an essential safeguard for the people, as well as a means of speeding up leasing. When the ariki complained their authority was being diminished - Makea said, 'the people think that the Arikis have no more say in matters' - Gudgeon agreed that in future all applicants to the

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30 AHR, 1905, A-3, p. 92, Gudgeon to Mills, 25 April 1905, enclosing notes of the meeting with the ariki held on 22 April.
31 HP, A 33, Banks to E.G.B. Moss, 2 May 1905.
32 loc. cit. While caution is necessary in assessing evidence from Banks or Makea Daniela, Gudgeon's notes of the 22 April meeting support much of what Daniela said also in a letter of 2 May to Moss. Moreover, the evidence of both men gives a rationale to a meeting which is otherwise curious and inconclusive. Banks was probably fairly accurate in reflecting the anxiety of the chiefs as both Makea Daniela and Makea herself had made common cause in the face of the threat to the ariki as a whole. Banks voiced the suspicion that Gudgeon fomented discontent indirectly. Though he did not think Gudgeon would have taken the initiative, he was convinced that his ultimate aim was to 'take away the "mana" of the Arikis'. Daniela believed Gudgeon had 'a spite' against him, and he asked '... does he wish us to worship him ... like the other arikis here?' HP, A 33, Daniela to Moss, 2 May 1905.
Court must first consult their ariki.\textsuperscript{33} He may have feared another attempt to approach New Zealand, or he may have been anticipating their further moves to prevent people from applying to the Court. It is inconceivable that he would have taken this step without an effective alternative in mind. Hills would not have understood the significance of such that had happened, nor the state of mind of the chiefs; but he would have gained from Gudgeon further evidence of the fractiousness of the ariki, their propensity for feuding, and the selfishness of their motives.

As a result of the Hakea-Karika disputes, some of the lands in question came before the Land Court, Gudgeon reporting that Hakea felt she must submit her lands to it in self-defence. The Court thus benefited, as had been the case in New Zealand, from factionalism and disputes. The Commissioner claimed that the Court’s decisions gave intense satisfaction to the people, who were delighted to find it could restrict the mana ariki.\textsuperscript{34} The outcome appeared to ensure that the Court would be kept busy, the ariki cut down to size, and the development schemes go ahead.

At Nangaia, disagreement over the election of a chief gave Gudgeon the opportunity to formulate by fiat a 'few simple rules' for regulating the election of ariki. These provided that future Nangaian elections were to be supervised by an appointee of the Resident Commissioner, but the Commissioner himself was to be the sole judge of any exception or departure from the criteria for eligibility laid down.\textsuperscript{35} He told the ariki who had tried to reverse an election that only the people of the particular

\textsuperscript{33} \textit{AHR}, 1905, A-3, pp. 94-95, enclosure (notes of meeting) in Gudgeon to Mills, 25 April 1905. Gudgeon had earlier reported that the people wanted 'British law and British rule and freedom from Hakea', \textit{ibid.}, p. 67, Gudgeon to Mills, 24 Feb., 1905. See also \textit{ibid.}, A 33, Daniela to E.G.B. Moss, 2 May 1905: 'Before this lawsuit happened, Gudgeon told the people that they had only to go to the Registrar with their applications, without seeing the Arikis, as they the Arikis have no Mana'.

\textsuperscript{34} \textit{AHR}, 1905, A-3, pp. 70-71, Gudgeon to Mills, 30 March 1905; p. 78, Annual Report for 1904-05.

\textsuperscript{35} \textit{ibid.}, p. 91. Gudgeon to Mills, 24 April 1905 and enclosure, 'Rules to Govern the Election of all Arikis, Kavanas and Mataiapos within the Cook Islands'. 'The candidate for election shall be chosen from the children (or near relatives in default of children) of the deceased Arika, Kavana or Mataiapo, unless it be shown that the deceased had no right to the office to which he had been chosen, or that the deceased was mentally or morally unfit for the position, of which condition the Resident Commissioner shall be the sole judge'.

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tribe concerned had the right to elect the chief and 'no-one could properly interfere with them, excepting always the Governor of New Zealand, who could and would interfere to prevent the election of any man not legally entitled to the position'. In fact, elections of ariki had nothing to do with European law. They were a mixture of established precedent and politics; the quarrels that had frequently arisen over them were resolved either by time or strength. Nor did the small people ever have the influence that Gudgeon implied. Gudgeon was attempting to do for the Land Court in traditional matters what the High Court had achieved in the judicial sphere.

Meanwhile an increasing number of applications and inquiries to both Gudgeon and Mills from prospective settlers created a sense of urgency if the success of European settlement, which the Minister still regarded as the key to the future progress of the islands, was to be guaranteed. The Minister urged Gudgeon to 'consider' what could be done to facilitate the granting of leases to suitable applicants.

Compulsory acquisition of 'unappropriated lands' could not be contemplated because of Parliament's recent opposition to such a course. The situation in the islands, however, appeared to be more favourable. The Land Court had become a more effective instrument of change and the ariki seemed under firmer control. Customary tribute had been reduced to a monetary payment, thereby fundamentally altering the relationship between chief and cultivator. Gudgeon told Mills that he now 'regarded the Government of New Zealand as the natural successors to the present Arikis'. He therefore considered that the best way of overcoming the problem was for the Government to lease compulsorily all available land and then sub-lease to

36 Ibid., p. 91. Gudgeon to Mills, 24 April 1905 and enclosure.

37 The ideal pattern of transmission of titles was from father to eldest son, but there were many complications including those resulting from kinship terminology, adoption and polygamous marriage. Rivalry over succession was commonplace. See Crocombe, op. cit., pp. 35-37.

38 AHHR, 1906, A-3, p. 3. Mills to Gudgeon, 5 July 1906. There were numerous answers to prospective settlers in I/T Letterbooks, 3/1, 3/2. Mills was also under pressure from Seddon. Ibid., Mills to Premier, 10 January 1906.

intending settlers.\textsuperscript{40} In negotiations with Mills, it was finally agreed that rather than risk a further rebuff from the New Zealand Parliament, a local ordinance should provide for leasing by the Federal Council.\textsuperscript{41}

But when Gudgeon placed his proposals before the Council, they met with such opposition that he withdrew them. He blamed 'the Mission party' and their antagonism to European settlement for the defeat. The Council did agree to an ordinance for the taxation of 'unimproved and unplanted lands' which the \textit{ariki} must have realised would be difficult to implement.\textsuperscript{42}

For Gudgeon the defeat of his land proposals was not the only setback for he was deeply offended by the action of the Government in June 1906 when, without warning, it issued an Order-in-Council defining the powers and duties of the Resident Commissioner.\textsuperscript{43} In this capacity, and as Chief Judge of the High Court and the Land Court, he had always enjoyed considerable latitude, but the pioneer days were now over. Continuous criticism in Parliament, increased New Zealand expenditure, and the growth of a small bureaucracy had indicated the need to regularise procedure. The provisions of the Order were, for the most part, based on Gudgeon's own practice.\textsuperscript{44} Although his considerable authority was thus preserved, he resented the introduction of formal requirements:

\begin{quote}
I regret that it should have seemed necessary to restrict the powers of the Resident Commissioner, inasmuch as the Natives of Polynesia can have no respect for a man who has no power. So far as I am personally concerned, neither laws nor regulations
\end{quote}

\textsuperscript{40} ibid., p. 10, Gudgeon to Mills, 20 July 1905. Gudgeon referred here to confidential correspondence with Mills about methods of dealing with lands in certain districts but they have not survived in I/T files.

\textsuperscript{41} ibid., pp. 22-23, Gudgeon to Mills 11 Sept., 1905. Gudgeon had preferred to take action under existing legislation and thereby avoid resorting to either Parliament or the Federal Council.

\textsuperscript{42} ibid., p. 50, Gudgeon to Mills, 22 Jan. 1906 and enclosure, 'Unimproved Land Tax Ordinance, 1906'.

\textsuperscript{43} ibid., p. 104-5, Enclosure (1 June 1906) in Mills to Gudgeon, 9 June 1906.

\textsuperscript{44} The Order required the Resident Commissioner to administer the Government; report regularly to the Minister; prepare an annual statement of revenue and expenditure and a general report, together with estimates; recommend appointments and control government officers; and to act in accordance with the instructions of the Governor or Minister. (loc. cit.).
can affect my position here, but they can and will affect the position of those who follow me. 45

Gudgeon's policy towards the ariki continued unabated. Already exercising the jurisdiction of the former Ariki Court at Aorangi, he took over that at Takitumu following the death of Pa Maretu in 1906. His attempts in 1908 to abolish Makea's court before her death met with some resistance from McGowan, the new Minister, who judged it impolitic to depart from Gudgeon's earlier policy exempting the Courts of incumbent ariki on Rarotonga. 46 On the other islands, Resident Agents had been given, in 1907, extra judicial authority enabling them to take all cases except murder and divorce. 47

In 1908, the rules which Gudgeon had issued earlier for the election of the Mangaius ariki were drastically reformulated by Federal Ordinance – initially applicable only to Rarotonga. The preamble declared that

... since the annexation of the Cook and Other Islands to the British Empire, the status of the Ariki has been altered, and the Ariki has now only jurisdiction as an hereditary member of the Federal Council and the Island Councils ...

According with this view, the Ordinance directed that succeeding ariki were to be chosen by the majority vote of the Island Council, subject to the approval of the Resident Commissioner, who should also decide the issue in case of dispute. The person chosen was to be of 'good character and pure Maori blood', and might be removed from office 'for good and sufficient reason' by the unanimous vote of the Council and with the approval of the Resident Commissioner. 48 Elections by peers or recognised tribal

45 ibid., 1907, A-3, p. 19, Gudgeon to Hills, 20 June 1906. Gudgeon's relations with Wellington became strained. Whether or not this was a factor, from this time on Gudgeon's published despatches and reports became less substantial and revealing; some also appear to be omitted.


48 ibid., 1909, A-3, p. 22, 'An Ordinance to Regulate the Election of Arikis', enclosure in Carroll to Gudgeon, 17 June 1909. The provisions of the Ordinance could be applied to islands other than Rarotonga by resolution of the Island Councils with the approval of the Resident Commissioner. There was no rush to do so. Since no report or despatch on this matter was published, and as his own diary for the period is missing, it is impossible to know how Gudgeon managed to get the Ordinance passed or what reaction there might have been. That strong resentment ensued was apparent in the 1911 Inquiry discussed later.
authorities were thus to give way to the decisions of introduced, partly elective bodies, presided over by officials who had themselves inherited many of the ariki powers. Gudgeon hoped that this change would herald the end of the traditional institution of arikiship.49

By this time also the Federal Council itself was rapidly becoming moribund. Because of the chronic problem of outer-island shipping, attendance at its infrequent meetings was now virtually limited to its Rarotongan members, whose duties were confined to passing the Commissioner's legislation. It could in no sense be regarded as the embodiment of the Government of the Cook Islands, except insofar as its existence represented to the ariki their forlorn but tenacious adherence to the idea of self-government. Even on such an issue as the use of the Cook Islands Federation flag, Gudgeon had deemed it unnecessary to permit this illusion by using it on government buildings.

Yet the Commissioner and the ariki were at one in their opposition to Cook Islands representation in the New Zealand Parliament. The question was raised as a result of a European petition in 1907 requesting representation on the Island Councils. The petition was rejected by McGowan on the grounds that the introduction of a European member 'would materially affect

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49 Gudgeon's justification for his efforts to reduce the ariki and his opinion of their position are summed up in the following passage:

'The satisfaction felt by the people generally under European rule will not be shared by a few arikis and their friends, who for generations have lived on the labour of the people and treated them most cruelly. Such men cannot be expected to appreciate a rule that sternly informs an Ariki that when before the Court he is only the equal of the meanest of his followers. I anticipate that quite a large amount of ill-directed sympathy will be expended on these dethroned despots; but such sympathy will be shown by those Europeans who know nothing of the history of the islands during the past eighty years; the Natives of the island and those foreigners who have lived among them will not share their views.

On the death of the present Arikis, no successors should be allowed until the candidates understand and sign a paper to the effect that they understand that the old powers of the Ariki have gone forever, except where conserved and recognised by law - namely as hereditary members of the Federal or Island Councils. Nothing worse can happen to the people than that the old mana Ariki should be allowed to continue, and this applies with equal force to the Ariki's Courts'.

ibid., 1908, A-3, p. 6, Annual Report for 1907-08, enclosure in Gudgeon to McGowan, 10 April, 1908.
the conditions laid down at the time of cession. Continued European agitation in the islands, together with the recurrent airing in the New Zealand Parliament and press of the issue of Cook Islands parliamentary representation, led the Federal Council, in 1908, to pass a resolution which conceded European membership of both Federal and Island Councils. The main purpose of the resolution was to place on record strong objection to any representation in the Parliament of New Zealand by means of a member for the Cook Islands, inasmuch as the Cook and Northern Islands are by the conditions of annexation a self-governing community under the British Crown, and since included in the Dominion of New Zealand for Imperial purposes only.

James Carroll, who had just come to office as Cook Islands Minister, welcomed the decision to give Europeans internal representation and assured the oriki that his government had no intention of extending parliamentary representation to the Cook Islands. On the later issue, the oriki stand was convenient, for Parliament would have been reluctant to grant representation and was already growing impatient with the time spent on Cook Islands affairs.

Gudgeon was also personally opposed to parliamentary representation for fear of the islands coming under closer supervision. His speech to the Council was masterly, probably reflecting the tactics he had used in 1900 to gain acceptance of the terms of the petition he had drafted. He told the chiefs that he had never neglected their interests and that those conditions were designed to reserve their 'local independence within moderate limits'. He stressed that Clause 4 is however our real protection, for it prevents any law of the New Zealand Parliament having effect in these islands until legally adopted by the Council.... if you once allow yourselves to be beguiled into asking for a Member in the Parliament of N.Z. you neutralise this clause which is your only protection.

50 Ibid., 1907, A-3, p. 36, Gudgeon to McGowan, 2 May 1907, and enclosure; p. 37, McGowan to Gudgeon, 22 May 1907. See also I/T Letterbook 3/1, p. 692.


52 Ibid., p. 27, Carroll to Gudgeon, 15 March 1909. In a memo (13 March 1909) to the Under-Secretary, Waldegrave, Carroll noted that it would be 'a good thing' to have European representation on the Councils. I/T Letterbook 3/2, p. 369.
safeguard against the selfishness of those whose interests may be opposed to those of these Islands. It is the position that I created in order to defend those who trusted me against Faddists and Carpet Baggers who would sooner or later exploit these islands for their own purposes.53

But the ariki needed no persuasion. Their argument against representation had always been that the islands were autonomous and that self-government would be jeopardised by encouraging the New Zealand Parliament to legislate for them. Although much had been lost, this was no reason for such a concession to be made.54

Whatever the views of the ariki, it was not for them that Gudgeon had sought freedom. In the matter of both justice and land, he maintained that the people were now experiencing for the first time the blessings of annexion. Where before their safety had been in poverty, they were now free to prosper under the umbrella of the Land Court which had both given and guaranteed their security of tenure. It had also contained the old customs and swept away the mana ariki which had held them in bondage. Nevertheless Gudgeon felt it necessary to warn the people:

It cannot be too often repeated that a man is now lord over his own land and no one dare interfere with him unless he is such a fool as to allow interference. I have made the people free, but I cannot give a man the heart of a Toa if he has it not.55


54 See, however, I/T File 101/6, L. Tare Tikao to Premier, 21 Jan. 1907. Though he may not have represented the views of the other ariki, Naken Danielia had discussed Cook Islands grievances with a New Zealand MP in 1907. Taking a contrary view, he may have felt that parliamentary representation was the only way out of the Cook Islands dilemma, or he may have been persuaded that this was so. This issue aside, the letter seems to express current ariki feeling.

55 Cook Islands Gazette, 17 Jan. 1909. See also AHR, 1908, 3-3, p. 6 (Annual Report 1907-08).
After ten years as Resident Commissioner, Gudgeon surveyed the changes that had taken place since his appointment in September 1896. In his estimation the most important achievement had been the survey and definition of titles to lands, particularly on Rarotonga and Aitutaki. And whereas the Government of the islands had possessed no headquarters, 'not even a dog-kennel', nor the Treasury a penny to its name, nor the islands any public works when he came, these deficiencies had since been rectified. 1

Gudgeon’s other major accomplishment had been to deprive the Cook Islanders of control over their own affairs. This had been progressively dictated by the policies first enunciated by Seddon and Gudgeon before annexation, and by the problem that had arisen in attempts to implement them. Chiefly power had been undermined because the ariki were seen as an obstacle to development and to what Gudgeon considered should be the priorities of an honest, orderly, stable and efficient form of government. The crude political impact was obvious enough; the political and social repercussions were less readily apparent. An examination of the methods devised to promote economic growth and security of tenure reveal some unexpected results and tendencies.

Settlement, land and productivity

The settlement scheme died a natural though prolonged death. 2 The essential reasons for its failure lay in chiefly opposition to Gudgeon’s land reforms and legislative proposals for making land available. The New Zealand Government refused to countermand the authority of the Federal Council in order to acquire the land compulsorily. Nor would it extend protection to Cook Islands produce or, for most of Gudgeon’s term, provide adequate shipping, despite his representations. The Government’s refusal to act in the latter instance had wide repercussions. Gudgeon’s frustrations

1 Cook Islands Gazette, 28 Jan. 1909. Gudgeon lists the extensive public works carried out. See Appendix C. It was for these achievements that he earned the praise of the USS on his departure.

2 Even so, although Gudgeon had admitted that Rarotonga was not suitable, he was still hoping in 1909 that Aitutaki would provide where Rarotonga had failed. AHHR, 1909, A-3, p. 5, Annual Report for 1908-09, enclosure in Gudgeon to Carroll, 3 May 1909. The I/T Letterbooks show that applications from prospective settlers continued to be received in some numbers until 1912-13.
were summed up in the following letter to Mills:

... the 'Taviuni' has arrived here two days after her time from Tahiti, with the result that we have 000 tons of fruit piled up in the sheds, most of which will be overripe when it reaches New Zealand.

This delay, which must inevitably cause further delay in Auckland by arriving late on Saturday, has as usual been caused by the shipment of French fruit at Huahine and Raiatea. I am informed that there is no less than 450 tons of French fruit on board, and it is very questionable whether the company will be able to take our 000 tons, except by overloading, as was the case last trip. I would point out that had the Auckland shipping authorities done their duty the Company would long ago have put on a larger steamer, but they are not likely to do this as long as they are allowed to carry deck loads that are absolutely dangerous.

The present situation here is absurd and anomalous. We are supposed to be part of New Zealand, but are absolutely at the mercy of a French colony - that is, if there is any room for our fruit after the Frenchmen have been served the Company will take it.

The French tariff prohibits anything grown in the Cook Islands being exported to Tahiti, while French fruit is received in New Zealand on equal terms with that grown in the Cook Islands. As for the Union Company, they carry goods to Tahiti five hundred miles distant from Rarotonga, for £1.15/- a ton and charge us £2. I do not know whether that company receives any subsidy from New Zealand, but if it does the subsidy is absolutely in aid of Tahiti.

Under the circumstances, there is no cause for surprise in the fact that one of the European planters on this island sent 450 cases of oranges, carefully selected and packed, to New Zealand last year and received only £1 for his risk, work and fruit. 

The islands were thus caught in a vicious circle. There was not enough being produced to fulfil New Zealand needs because of prices, land usage and transport. There was therefore insufficient shipping, and consequently inadequate returns to growers, to stimulate greater production. The Cook Islands Administration did not have the money to spend on any radical changes in production methods and could not afford to implement the schemes devised by the New Zealand Agriculture Department. In this respect Gudgeon had attempted to lay the basis of an economic policy which, despite Seddon's promises and Mills' assurances, New Zealand was not willing to underwrite. It had been hoped that an injection of capital

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3 AUE, 1906, A-3, p. 104, Gudgeon to Mills, 1 June 1906. See also p.v., Memorandum by Minister, 1 July 1906. I/T Letterbooks and the A-3 series in AUE are strewn with references and negotiations regarding shipping.
into the land by European planters would have a dramatic effect on output and therefore ensure the other conditions. But it was a situation that demanded some preconditions - or at least parallel concessions. Existing European settlers had petitioned for better conditions and were no more tolerant of the deficiencies in the system than the Maori growers who had clearly, in their own marketing arrangements, demonstrated their practical response to both good and bad returns.

However, the settlement scheme itself had been based on certain untested assumptions. Gudgeon had assumed that there were thousands of acres available for settlement in Rarotonga, Atiu and Mauke; and that at some stage, the Maori population would die out. These factors had made settlement appear essential. It had seemed desirable also as an outlet for Seddon's 'enterprising colonials', and to provide an interim stiffening of European example and leadership to the Maori who, if they cultivated habits of industry, might avert or postpone the decline of their race.

But Gudgeon over-estimated the total areas of the islands, the amount of fertile land, and the land available for leasing. Although the annual statistical returns appeared to bear out his population theory, he could not know that the dramatic downward trend had been halted, that in islands throughout the Pacific there was now an overall steady increase in population.

Gudgeon believed that a precondition for real progress was the reform of land tenure. The twin problems of 'indolence' and the assertion of 'exclusive' rights over the land by the ariki could not be eradicated until each cultivator had a secure holding. Determination of ownership was complicated, however, by the customary occupation rights conferred upon an often wide spectrum of people, depending upon their relationship

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4 As was pointed out in 1902 by the IAS, which disagreed with settlement as a means of solving economic difficulties. See Te Karere, Oct. 1902. For Gudgeon's estimates of the land available, see, for example, AJHR, 1899, A-3, p. 23; 1902, pp. 35, 50. See also Judge McCormick's remarks in ibid., 1913, A-33, pp. 12-13 and Crocombe, op. cit., pp. 102-3.

5 Census returns were crude and it was difficult to assess population trends with any accuracy. Compare Moss' overestimation in AJHR, 1892, A-3, Moss to Gov., 17 Sept. 1891. See also Norma McArthur, Populations of the Pacific, Canberra, 1967, Ch. 4.
to the descent group having 'primary rights' to the land. It was further complicated by the fact that multiple rights were recognised in each piece of land. Gudgeon's self-imposed task was to ensure security for the 'true owners' or 'primary right holders', firstly, by breaking down the hierarchy of rights to the land and, secondly, by cancelling out secondary and other rights among persons of the same status and thus relieving the cultivator of the demands of relatives for a share in the produce.6

But the Land Court did not achieve security of tenure for the cultivators. In the majority of cases brought before the Court decisions favoured title-holders. Crocombe's analysis shows that of the 167 sections of land investigated in Rarotonga in the two years from April 1903 to April 1905, almost 90 per cent were awarded to 'title-holders alone or title-holders jointly with their followers'. Moreover, in most cases where untitled persons were included in the awards they were subsumed under the heads of extended families.7 Gudgeon's judgements were therefore not strictly in accordance with his stated objectives and his complaints against the chiefs; indeed, they deprived many younger members of families of 'legal' rights in lands they were planting.

However, the persistence of custom mitigated the effects of these judgements: contrary to Gudgeon's assertions, the chiefs regarded themselves as trustees rather than as owners of the land granted them, and junior branches of families therefore continued to enjoy occupancy. This was offset, in Gudgeon's opinion, by the fact that the principle of trusteeship over land exercised by chiefs and heads of households was so entrenched that it was difficult to encourage those most affected to assert their claims before the Court - hence his jubilation over the opening given by the Marika/Makea disputes. In order to alleviate this problem and cut back oriki claims he attempted to ensure that each 'family' had separate lands awarded to it, insisting also that the names of all adult members

6 Crocombe, op. cit., pp. 109-10. In New Zealand this approach had been considered desirable not only for economic reasons, but because it was intended to break down 'Maori communalism'. For further information on traditional land rights see Crocombe, op. cit., Part One. I am indebted to him also for the background and analysis of the changes made in relation to land and the work of the Land Court; and, similarly to R.P. Gilson, 'The Background to New Zealand's Early Land Policy in Rarotonga', JRP, Vol. 64, No. 3 (Sept. 1965), pp. 267-90.

7 Crocombe, op. cit., pp. 110-11.
Apart from technical and customary difficulties, there was a further weakness: Gudgeon could not afford to be too harsh to the very people whose cooperation, or quiescence, he had to retain. He attempted to circumvent this restriction by appearing to meet their demands while in reality his accommodation was often minimal. A good example was his treatment of the 'recognition' of tribute demanded by chiefs. In recording ariki rights to atiha he did not stipulate exactly what was meant nor did he fix exactly the nature of the obligation. To sum up, while Land Court practice often modified custom - itself in process of change - it was in many respects contrary to the policy he had sought to implement.9

In 1903 Mills had agreed with Gudgeon that the indigenous system of tenure was not conducive to efficient use of land; that the granting of registered titles would facilitate production and provide incentive by freeing the grower from the encumbrance of both kin and ariki. In this case also results appear to have been contrary to expectation.

The considerable increases in the production of export crops from about 1906 to the First World War were not primarily due to the work of the Land Court or to legislation passed by the Council under duress; they were more the response to higher market prices, to the eventual rationalisation of shipping calls, and to Gudgeon's systematic use of threats, punish-

8 ibid., p. 111. See Ch. 12 for the consequences of these changes. Gudgeon attempted also to control chiefly influence by granting only a life interest in land, hoping thereby to ensure re-examination at a later date.

9 Gudgeon had sought the power to disallow most of the land claims by the ariki on the ground that they were not consistent with 'Maori custom'. He was correct in stating that, since contact, and particularly during the period of depopulation and then of commercial enterprise, the ariki had resorted both to 'land-eating' and the withholding of titles from minors. See Gudgeon's later analysis of this in AHR, 1908, A-3, p. 5, Annual Report for 1907-08. For an examination of his view of what 'Maori custom' was, and his difficulties over the rules of inheritance, see Gilson, 'New Zealand's Early Land Policy', pp. 273-9. However, Judge Morgan, who was on the Land Court bench for over 25 years from the Second World War, disagrees with both Gilson and Crocombe; he believes that on the whole Gudgeon's interpretations of custom were accurate and his decisions fair (personal interview).
ments and persuasion. This was particularly so in regard to citrus fruit and copra, for increased production of these crops came from trees that must have been planted before the establishment of the Land Court. It is possible that the Court was an additional rather than an exclusive influence in the production of bananas, the crop which expanded most rapidly during the period. However, a point of special interest here is the suggestion, for which there is some supporting evidence, that it was organisation 'on a minor lineage basis by the various chiefs' that did much to increase banana output.

Land tenure reform even in the major islands had not been completed by the end of Gudgeon's term, nor by 1915. In fact, only the most fertile land on Rarotonga and Mauke had been investigated. It could therefore be argued that the conclusions drawn concerning the ineffectiveness of tenure reform are based on an insufficient time and achievement span. It might be argued also that those who had received registered titles still hesitated to plant permanent tree crops on their lands because they were not yet confident of the Court's power to protect them; they therefore remained psychologically subject to the old pressures.

In dealing with the question of productivity, Crocombe covered the period 1906 to 1959 and therefore extended his analysis well beyond the period under review here. The trend apparent over the longer period is relevant, however, in that it confirms the proposition that tenure reform

10 See Crocombe, op. cit., pp. 134-5 and tables on pp. 131-3 showing the volume and value of agricultural exports. See also SSR, Hutchin, 8 Jan., 1904, regarding the impact of higher prices for bananas. It was during this period also that Gudgeon instituted a method of public inspection of houses and cultivations known as the 'tutaka'.

11 Crocombe, op. cit., p. 135. The suggestion was based, in the first instance, on the statements of his informants. He has supported this claim by reference to the development of the banana trade on Rarotonga and Mangaia, where chiefly power was strong, but not on Mauke, where it had been seriously curtailed since 1904; and to parallel evidence from the Protectorate period. This contradicts Gudgeon's estimation of the relationship between production and the absence of an entrenched chiefly system on Aitutaki.

12 See GP, 662/F, p. 9. An informant told Gudgeon, 'Do not blame the people because they will not speak. They cannot yet realise that it is possible to win a case against the Arikis or Aronga Mama. They see you will support them when they are right, but if they win while you are here they also think of what may happen to them when you leave, and therefore they are silent'.
alone did not lead to increased production and, in fact, inhibited it for reasons connected with the Court's methodology. Taken as a whole, the period from 1906 revealed a decline in production. The reasons are complex but one of the contributing factors was the method of awarding succession, which was based on innovation, misunderstanding and oversimplification of customary succession and rights to land. This led, on the one hand, to an increasing number of 'owners' in a piece of land eventually without the organised leadership once associated with land holding and, on the other, to people having rights in several widely dispersed pieces of land.13

Other aspects of the Land Court's operations had important economic side-effects. The Court had curtailed the right of the ariki to repossess and reallocate land, and although this had been abused it had also allowed a flexibility in terms of need and leadership. The definition of landownership in European terms, even though on a group rather than a purely individual basis, had the effect of further decentralising sub-tribal authority.14 Together with the simultaneous curtailment of ariki administrative competence, this also weakened the cohesion which had existed within and between co-operative units. Whereas it appears that chiefly impetus had been a key factor in increasing production, the ariki gradually became less effective as catalysts within their respective communities. The functions they had refused to carry out under pressure became increasingly performed by officially appointed agricultural officers and fruit inspectors.

In terms of economic results, Gudgeon's dynamic personal role was more significant than the formal powers he accumulated to achieve the same ends. But his efforts were supported by the necessary incentives of better returns and transportation. Moreover, the most impressive results were achieved not by individual peasant-capitalists, but rather by

13 Crocombe, op. cit., p. 140. This was also a transfer of the New Zealand system which has posed grave social and economic problems associated with fragmentation.

14 R.P. Gilson, 'Land Tenure in Rarotonga: 1890-1914', unpublished paper, Canberra, n.d., p. 12. Mr C. Cowan, an elderly mataiato of the Takitumu District of Rarotonga, stressed this point. He confirmed that Gudgeon had brought New Zealand custom to Rarotonga, where the ariki and mataiato 'ruled' and had the right to divide and allocate land (personal interview).
traditionally based activity, including the Maori-organised 'companies' or 'proto-co-operatives'.

Political institutions

Reduced to its essentials, there were three main factors in the annexation: the desire of the British to be rid of further responsibility for the islands; New Zealand's motives and aspirations in wishing to assume that responsibility; and the determination of the *ariki* to maintain and enhance their status and power. In the light of these factors, there was little chance that the kind of representative institutions introduced during the Protectorate could be continued or developed for some time. Gudgeon had hoped to maintain a form of indirect rule that would serve economic objectives. But he overestimated his ability to continue to manipulate the *ariki*, especially in view of the relatively rapid changes that were needed to get the results that the New Zealand Government, on the basis of his own advice, now required of him.

There was a limit to how far the *ariki* would go along with Gudgeon's reforms. Once the chiefs realised that land was at issue, there could be no compromise. Control of land was the basis of both New Zealand policy and of the traditional authority structure. In New Zealand this situation had led, with the appropriate flashpoints, to war. In the Cook Islands it led to resistance and to the official erosion of *ariki* authority — and progressively of the ability of the chiefs to be useful agents of development. The land issue aside, Gudgeon saw the *ariki* as representatives of a discredited system inimical to 'good government' and the life of 'free men'. 'Good government' meant European notions of honesty, the separation of powers — noticeably lacking in his own administration — and the impartial and efficient execution of the business of government.

If the economic policies which had prompted changes in the system did not bring about the results envisaged, it might be asked in what ways the political castration of the *ariki* befitted the small people in whose interests Gudgeon asserted the changes were made.

Changes in the composition of the Federal Parliament appeared to benefit neither chief nor commoner. The abolition of the bicameral

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parliament deprived the lesser chiefs of representation and of possible opportunities to force the ariki to widen the power base. Though they were mostly ariki nominees, or subject to ariki pressure, the paramount chiefs had been uneasy at their occasional recalcitrance and indeed their very presence in government. The ariki therefore thought to benefit by the abolition of the Federal Parliament. But with Gudgeon as chief executive, the confinement of the Federal Council to legislative matters, and the decline in both its representative character and the frequency of its meetings, the ariki and the people as a whole lost control of their own government.

The Island Councils, affected by the executive role of the Resident Commissioner on Rarotonga and the Resident Agents on the other larger islands, ceased to have the importance and the autonomy they once possessed. The growth of a centralised administration meant that they were similarly reduced to passing ordinances at the instigation of the Resident Commissioner or Resident Agents. Though there was provision for elected representatives, Gudgeon was wary of pushing this too far; and with officials chairing Council meetings there was little room for Maori initiative or leadership. Nor were these bodies used as sounding boards of Maori opinion with regard to policy. Some chiefs, however, did become Resident Agents and there is evidence that those who were 'enlightened' enough to win Gudgeon's approval sought these positions as a means of bolstering their own authority.16

The abolition of the Ariki Courts placed justice not in the hands of other Cook Islanders but in the hands of officials over whom they had no control.17 The reference of any matter to the High Court meant that the Resident Commissioner, in his capacity as judge, heard the case. Though Gudgeon attempted to be impartial it must nevertheless have appeared impossible to escape the influence of his administration. The extent to which the majority of non-titled Maoris benefited from judicial changes can not be known. They may well have been released from some restrictions;

16 See, for example, AJHR, 1907, A-3, p. 34, Gudgeon to McGowan, 10 Oct. 1906, for reference to the contention between the chiefs on Hauke who wanted to be Resident Agents.

17 However, Gudgeon had declared that the jealousy between the chiefs had prevented him from appointing Maoris whom he thought capable of holding high positions. See GP, 662/E, p. 5: 'If I dared do it I would make Pa Maretu the Chief Magistrate for all Rarotonga but if I did I should have all Avarua and Arorangi in arms'.
but intolerable situations arose from the replacement of *ariki* by Resident Agents, as Gudgeon himself confessed when acquainted with the behaviour of 'that most tactless man Mr Large' on Mangai'a.\(^\text{18}\)

Whereas the *ariki* had been subject to some pressure from mataiapo who could, on behalf of themselves or their *hamu*, transfer their allegiance to another *ariki* as a protest against a particular outrage, there was little chance of the chiefs or people influencing Gudgeon's administration. Moreover, the weakening of *ariki* authority, on Rarotonga especially, had repercussions in terms of leadership and the mobilization of activity and opinion.\(^\text{19}\) In the long term, an increasingly wide communications gap was to become apparent between the central government and the mass of the people; officials were unable to bridge it.

However, the effect of centuries of conditioning could not be swept away, even by such drastic actions in a relatively short space of time. In the eyes of the people, whose day-to-day lives changed little, the *ariki* retained such prestige. Respect, fear and acknowledgement of traditional *ariki* rights were no doubt all factors in the short-term reluctance of many commoners to take advantage of the Land Court. Gudgeon said that the people did take some advantage of the new freedom to acquaint the *ariki* of their status as British subjects and to claim alternative rights to justice; but he may have used this as a threat.\(^\text{20}\) It is more than likely that the majority of litigants to benefit from the changing situation were the lesser chiefs.

There was no popular movement or means of populist expression. Gudgeon seems not to have taken sufficient account of the fact that the people had never been 'free' of *ariki* leadership and traditional exactions. But, as he lacked confidence in Maori ability to lead or work without European supervision, commoners did not benefit from the loss in prestige and power of their recognised leaders. The lack of any dramatic success

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18 ibid., 662/G, p. 2. See also I/T Letterbook 3/2, McGowan to Gudgeon, 16 Oct. 1906.

19 Mangai'a presents a different case. It continued to be the stronghold of resistance to change and the *aronga mana* remained powerful. Mangaians never accepted the Land Court and, apart from some disputes, Mangai'an land and authority remained untouched by its activity.

20 As Gudgeon documents it, this kind of threat was most often invoked against *maka*. In Avarua, the headquarters of government and commerce, there were also many outer-islanders who could and did object to her jurisdiction.
in his policies, and the dearth of any other political avenues of approach, meant that Maori authority gave way to European. It is clear that Gudgeon considered himself the most reliable repository and guardian of the aspirations of the majority. His assault on the authority of the ariki had, in many respects, made him their successor.

Religious and unrest

Although disagreeing over many things, Gudgeon and a number of the missionaries were disillusioned with Maori response to the ideas each surveyed. Though the land was prosperous in 1908-09, though Maori companies were shipping direct to New Zealand, and pleasure trips, teashops and buggies were popular, interest in the mission seemed to decline with prosperity. The missionaries complained of an increase in superstition and immorality, drinking and venereal disease. They were more inclined to agree with Gudgeon’s criticisms. One missionary concluded that all who tried to help the Maori were ‘disappointed’.21

It was in the matter of education that Gudgeon’s final appraisal of the people showed most clearly. In a parliamentary debate in 1907, Massey complained that in the seven years since annexation no attempt had been made to do anything about education in spite of the promises made. He thought the Government’s duty towards the islanders in this respect was the same as that which it had carried out for the New Zealand Maoris. McGowan answered that, although this was originally envisaged by Seddon (who had since died), it had been found ‘useless to apply a regular system of education ... to the islanders, for the simple reason that they were not prepared for it’. He thought there was no analogy with the New Zealand Maoris, who were industrious enough to take advantage of education. But ‘the islanders did not require to work, and consequently it was difficult to make them understand civilization and the necessity for work as we understood it’.22

McGowan was clearly following Gudgeon’s views. Education had been in the hands of the LMS and, to a lesser extent, the Roman Catholic and SDA missions. The LMS had established village schools at a very elementary

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level throughout the Group. The Society's boarding school, Tereora, at Rarotonga (and to a lesser extent Araura at Aitutaki) taught at a more advanced level and was considered a secondary school though it went only to the fifth standard. From this school came most of the recruits for the trading stores, what few openings there were in the administration, as well as teachers for village schools. In 1904, owing to financial difficulties, the UIS submitted firm proposals for the Government to take over the existing schools, "with such safeguards for religious teaching as may be found to be desirable". However, Gudgeon felt that the existing facilities and standard of education met the requirements of the Cook Islands situation. He stated:

I would point out that the principles of education and evolution have not yet begun to work among the Polynesians, their only idea on the subject of education is that they may thereby acquire wealth and avoid work. As for the moral effect of education, they naturally do not believe in that, inasmuch as it is the best educated among them who are the greatest rogues.24

After a study of the proposed New Zealand Education Department plan, Gudgeon added:

I have never known or heard of a people more wanting in moral stamina than these islanders. They do not understand the necessity for self-denial or self-restraint, and, therefore, to educate such men above the resources of the islands would be little short of criminal. The boys are not wanting in ability, but from our point of view, they are both dishonest and untruthful. When they have by race-contact obtained a stiffening of European blood, they may be capable of using the education given to them, but the pure and unadulterated Native of the South Seas is a self-indulgent animal and after nine years I have neither respect for his character nor hope for his future. The education he receives outside of Tereora is not a bad one for his condition of life, he learns to read his Bible in Maori, and to sing hymns and I do not think that the Missies ever intended that he should learn more than this. The result is that he is perfectly contented and happy, and if he wants to learn English he goes as a house-boy to some European family.25

23 AHR, 1905, A-3, p. 45, Gudgeon to Mills, 7 June 1904 enclosing letter from Hutchin, as Secretary of the Cook Islands District Committee of the UIS.

24 ibid., 1906, p. 105, Gudgeon to Mills, 23 May 1906.

25 ibid., 1900, A-3, p. 14, annual report for 1907-08. For the Education Department's recommendation, see Høgbøen report, ibid., 1904, A-3, p. 62. Gudgeon had also vetoed the suggestion that a selected number of pupils be educated in New Zealand. See I/T Letterbook, 3/1, McGregor to Hutchin, 7 January 1907 and 23 February 1907. See also AHR, 1903, A-3, p. 4-5, Gudgeon to Mills, 7 June 1904, for Gudgeon's earlier proposals and estimates for an educational scheme.
Gudgeon's views prevailed over both Opposition criticism and a Cabinet decision of 1906 to apply the New Zealand Education Act to the islands.

The 1907 debate highlighted other administrative deficiencies. The Cook Islands had recorded its first deficit and there was criticism of the fruit industry. The issue of shipping and protection of islands fruit was once more raised. In reply, McGowan could only ask where the finance was to come from. Health facilities also came under attack. Massey's reference to the prevalence of disease was prompted by information in the annual report indicating that there were insufficient resources to cope with the problem. Gudgeon had drawn attention to these questions with his characteristic grass-roots interpretation. He linked the prevalence of disease and the mortality rate with Maori ignorance of health matters and their refusal to learn. His detestation of the 'native doctors' (ta'umaga) and his impatience with Polynesian inability to connect cause and effect, were lumped together with other population problems such as the labour traffic to Malden Island and the departure of many Maori teachers to serve as missionaries in the 'malarious wastes of New Guinea'.

But in 1908-09 there were indications that, even with a more approachable medical officer, the people were turning more to traditional sources of assurance. Whether or not this was a reaction against, or a disenchantment with, current policy, there were definite signs of unrest that made the visit of the Governor in 1909 and the representations made to him of more than passing interest. Gudgeon had dismissed complaints made to the Governor 'involving the mana of certain sections of the people' as 'of small moment'. Mission reports referred to an increase in 'superstition' and 'witchcraft', a falling off in school and church attendance and in recruitment for mission work. Hutchin reported the resentment and bad


27 AJHR, 1906, A-3, p. 83. See also ibid., 1902, p. 4 and the 1908 and 1909 annual reports. The LMS were also concerned about the dangers of the ta'umaga.

feeling among the people of Arorangi over the election of Ariki.\textsuperscript{29} And he thought that trouble at Rakahanga over the Resident Agent was basically due to a desire on the part of the 'rangatiras' to revert to the old order of things.\textsuperscript{30} Hall reported the widespread dislike of the people at being 'handed over' to New Zealand by the Imperial government.\textsuperscript{31}

Both missionaries mentioned some of the effects of the 'passing away' of chiefly power. They said that the idea of 'democracy' had confused the people; since they were beginning to lose respect for authority, they tended to seek out people who they thought knew more than they did and were consequently in danger of being duped and further fragmented. The missionaries may well have resented the influence of people other than themselves and there may have been some malice towards Gudgeon, but the changes were sufficiently disturbing and widespread for them to have reversed their previous ideas on the necessity for a Polynesian-directed future. They concluded that the Maori would now have to get used to European methods of government.\textsuperscript{32}

Gudgeon's departure

Documentation is scant on the circumstances surrounding Gudgeon's replacement in 1909, but it appears that as a result of the unsettled conditions in the Cooks and of his own forthrightly expressed opinions, the

\textsuperscript{29} In the second election in just under a year, the mataiapo and a substantial section of the people had wanted a young man from the junior branch of the family, but the Rarotonga Island Council and Gudgeon supported another elderly man from the senior line. He was appointed and the people blamed the pastor for not supporting them. SSR, Hutchin, 3 Jan. 1910. A letter from a section of the people expressing their disagreement had been sent to Carroll but he declined to intervene. I/T Letterbook, 3/2, Carroll to Gudgeon, 10 June 1909.

\textsuperscript{30} SSR, Hutchin, 3 Jan 1910. Gudgeon said that as a result of the institution of 'popular government', the turbulent element in Rakahanga had been deprived of power. But in 1908 a fall in the price of copra irritated the people who believed that they had a right to fix the price of island produce. The people thereupon supported the 'malcontents', ejected the island Council members, pulled down the British flag and took matters into their own hands. Some of the ring-leaders were sentenced to 12 months hard labour. AHR, 1909, A-5, p. 6, Annual Report for 1908-09, enclosed in Gudgeon to Carroll, 3 May 1909. I/T Letterbook 3/2, Waldegrave to Resident Commissioner, 21 Dec. 1909.

\textsuperscript{31} SSR, Hall, 2 Dec. 1909.

\textsuperscript{32} ibid., Hall, 10 Jan. 1911; Hutchin, 3 Jan. 1910.
Administration was drawing increasing criticism. The Maori Affairs Committee of the House had shown interest in Cook Island legislation. James Carroll had replaced McGowan as Minister, presumably because it was thought that he would bring special qualities to the position. The representations made to him by the Arorangi people over the election of ariki may have increased his unease. Whatever the reasons, though there is no explicit recognition that Gudgeon was becoming a liability, he was abruptly advised that public service regulations required that he should be retired at the age of sixty-five. He had received the C.M.G. after annexation but none of the salary adjustments promised by Seddon and Ranfurly. He had hoped for a position in Tonga and there was also a suggestion of a 'billet' in Samoa, but nothing came of these. By this time Gudgeon was a sick man and, except for three months spent in Rarotonga in 1913 as a relieving judge of the Land Court, he went into retirement at Auckland.

Apart from the major setbacks to the achievement of his objectives, Gudgeon's chief difficulties were basically those that had faced the Mission and Moss before him. Some were of his own making and many of his errors of judgement were of the same order as those for which he had castigated Moss. The wisdom or merit of his policies aside, he also could have been accused of making changes too rapidly and of losing the confidence of the ariki and many of the people, albeit for different reasons. Moreover, his austere doctrine of work, though it did produce some results, was not acceptable in the form in which he presented it. The people worked when it was in their interests to do so and not, as Gudgeon himself believed, 'all adages to the contrary', because industry was the virtue nearest to godliness. The missionaries had long been aware of the meagre returns from imposed ideas over considerable periods of time. Had his actions produced no repercussions and resistance, many of his qualities which had come under criticism could have been regarded as virtues and the wisdom of a dynamic man of action - as they were to be regarded later. New Zealand again

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23 See I/T Letterbook 3/2, pp. 165, 171, 280 for references to audit irregularities and the complaint of Miss Amy Moss to McGowan, 13 Oct. 1908, about the way Gudgeon spoke of the people. This had also been raised in Parliament.

34 ibid., Carroll to Gudgeon, 24 May 1909 and 4 June 1909, asking him to stay until the end of July for the Governor's visit.

35 USS Letterbook (Rarotonga), Gudgeon to Hutchin, 19 Oct., 1906.
revealed her preference for military men in her choice of administrators for Samoa.

Much depended upon Gudgeon's estimation of the people among whom he worked. Yet, in his growing contempt for the islanders, Gudgeon strayed from the principles he himself had enunciated in respect of the New Zealand Maoris. There is little evidence in any aspect of his administration of a man 'holding ... that the Maori cannot be appreciated at his proper value by those who would judge him from our narrow point of view ...'. 36 Perhaps the answer lay partly in a major difference he perceived between the two peoples. He believed that while both the New Zealand Maori and the 'parent stock in Polynesia' shared 'pride of birth' and were 'intensely aristocratic', the island chiefs were 'treated with a slavish difference that is unknown among the New Zealanders'. 37 As his first vision of a more fairly distributed power and economic base in a dynamic society faded, he was left with the administrative responsibility for a people for all of whom he had little respect and no hope.

In addition to the toil exacted by climate, the confines of a small but rambunctious community and his own deteriorating health, Gudgeon was ill-served by his judgement of men. Although there were only a limited number of men available to occupy the increasing number of positions designated white, Gudgeon seems to have chosen, from the faction acceptable to him, a high proportion who caused him embarrassment and harm. One of his chief supporters not only fiddled the funds but had been appointed, initially, as Clerk of the Parliament against the wishes of Kakea who detested him. Her feelings were even more outraged after his part in a drunken brawl which broke up her party to welcome Gudgeon back after his visit to New Zealand in 1901. Gudgeon's nephew, though able and well-liked, took to drink and also benefited briefly from government funds before serving sentence on Manuae and taking up a new role as jailer there. Another, who claimed to be a solicitor and became auditor also, was able to convince Gudgeon of his bogus status - which would not have mattered had he been a competent steward. Thomas Large, Gudgeon's strong man and Maori-tamer, proved to be troublesome, overbearing and difficult to control. Some of his other Resident Agents had trading connections in the islands to which they were appointed and German names which offended patriotic

37 'Maori Wars', JPS, Vol. 16, No. 61 (March 1907), p. 34.
colonial parliamentarians. Some found the isolation, mission scrutiny and factionalism too much. One committed suicide, others resigned. Medical officers came and went. One traded in his 'spare' time. Another demanded a handsome salary but refused to visit patients and was so unapproachable that the sick could not be induced to wait upon him and turned instead to the ta'unga from whom Gudgeon was trying to wean them. Those employees who drank earned Gudgeon the displeasure of the mission and the ariki because he was publicly committed to eradication of the liquor problem. There were a few men who served him well. There were others who found in service to him a means of furthering personal vendettas and their own prestige and who thus further polarised feeling in the community.

It is perhaps a tribute to some of his personal qualities, and to the awe he engendered, that Gudgeon lasted so long. In many ways he was a superlative operator. He was also a self-assured, colourful and persuasive orator, with the bearing and single-mindedness that earned him at first an overwhelming and finally a grudging appreciation. In some respects he was farsighted and, as a colonial administrator, raised questions that are being re-examined today. As it was, the people had triumphed in a curious way. He was outlasted by two of his greatest opponents, Makea Takau and Makea Daniela, for the latter of whom he could not resist a last farewell jibe which was reminiscent of his onstage entry in 1890.

When he left the islands, Gudgeon was aware of widespread unrest among the chiefs. In a message to the people of Rarotonga he said that, with two exceptions 'preserved ... by the mana' of the Land Court, all the old customs had passed away. Responding to rumours to the contrary, he emphasised that, off their own lands, neither ariki nor mataiapo had the power to interfere with the people, and that while the mataiapo might be

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38 Cook Islands Gazette, 7 Sept., 1909, 'Address to the People of Rarotonga', 31 July 1909. For the full text, see Appendix D.

39 loc. cit. The two customs to which he referred were the 'Aratiroa (entertainment of visitors)' and the 'Are Vananga'. According to Stephen Savage, A Dictionary of the Maori Language of Rarotonga, Wellington, 1962, aratiroa refers particularly to the hospitality extended to a visiting chief or person of distinction. Savage has no entry for Are Vananga, but from the separate definitions of the two words this term appears to mean a traditional meeting house or place for discussion.
entitled to respect, their rank was 'not recognised by law'. In particular, he warned Haken, who had threatened to reduce the Uritaua people 'to the position of vassals', that 'there can never be Tautaunga (vassals) under British rule'. He added, with his successor in mind,

To speak plainly, I may say that the power to do evil has been taken away from all of you, but the mana ariki exists in all matters that may be beneficial to the people. The arikis and elected members form the Council and are the governing power of these Islands, subject only to the Ariki-Tutara, which may be understood to be the law.

It is your duty to support your arikis in all proper things, but your chief duty is to support the law and its representative, Captain Smith; for he represents the Governor of New Zealand and the Parliament of that Dominion.

He went on to explain:

You are a self-governing community, far removed from New Zealand, and you will never lose the privilege of self-government so long as you deal justly with your people; but do not forget that they are subjects of King Edward, and under his protection; therefore you must be guided by his representative here. You will have a right to demand his protection, but he will certainly demand your obedience to the law. 40

It is difficult to know exactly what Gudgeon meant by 'self-government'. When he had a special reason for doing so he commonly used the argument that the Cook Islands were self-governing. Thus, in 1906, when cautioning the LMS against meddling in politics, he maintained that 'a large measure of local self-government has been given to these islands, and they should be allowed to work out their own destiny without interference'; that it was only this responsibility that would teach the people 'the moderation necessary to political life'. 41 In 1908, when he warned the ariki against European moves for Cook Islands representation in the New Zealand Parliament, he said, 'I found you a self-governing Community when I came among you, and I did not alter that position when I induced you to ask for annexation'. 42 But in 1904, when he was urging the Minister to abolish the Ariki Courts, he claimed that while the 1901

40 Cook Islands Gazette, 7 Sept., 1909.

41 LMS Letterbook (Marotonga), Gudgeon to Hutchins, 19 Oct. 1906.

Act had 'afforded the Natives ... a very large measure of local government', the Councils were 'not satisfactory, except where they are controlled by and under the presidency of a European officer'.

Gudgeon knew well that the kind of self-government administered by himself and other New Zealand officials had replaced it. He had therefore taken away the 'responsibility' that could teach Māoris anything about political life. He had largely succeeded in reducing the ariki in the Federal Council to the ciphers he thought they should have been in 1899. As early as 1903, he described himself in a private letter to a friend as 'the absolute governor of 17 islands'.

In these circumstances, Gudgeon's insistence that the Cook Islanders enjoyed self-government was bizarre. However, in view of the fact that, almost without exception, initiative in policy had rested with him, it seems that he interpreted self-government in terms of a distinction between the real authority he exercised from Rarotonga and the residual authority vested in Wellington. He always differentiated sharply between the Cook Islands Government and the Government of New Zealand. In this light, attempts to shift the balance through closer supervision of the Resident Commissioner and direct representation of the islands in Parliament were threats to an autonomous administration and to 'self-government'. He was certain that the 'papa', the man on the spot, knew better than New Zealand politicians and bureaucrats what was good for the people. Though he could not know how the man who succeeded him would wear the cloak of authority, he did his best to secure as much obedience and respect for him as possible so that this kind of self-government might continue.

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44 ALS 755, 2 May 1903.
CHAPTER 9

THE BROWN MAN'S BURDEN

Captain Euan Smith arrived in Rarotonga as Gudgeon's successor on 14 July 1909. The LMS welcomed him with renewed expectation. The Maoris, with the exception of Nakena, waited. The new Commissioner seems to have given the usual priority to matters of finance and trade. With a new-broom vision, akin to Gudgeon's in 1898, he declared that in regard to the production of fruit and planting of land, the islands were in their infancy. Like Gudgeon, he stressed the necessity of educating the people to appreciate the potential of the coconut.¹

Smith's other major concern was clearly the maintenance of law and order. He believed that the troubles were not over in Rakahanga, where the people had recently pulled down the flag, nor in Rarotonga. Within a month of his arrival Nakena called on the Commissioner to press her grievances but Smith appears to have been able to placate her, at least for the time being. Congratulating Smith on his handling of the matter, Carroll expressed his confidence in the Commissioner's ability to deal firmly, but diplomatically with any proposals to change the existing order of things.² Nevertheless, Smith thought it would be a salutary experience for the islanders if a man-of-war were to call at regular intervals. This might prevent them from being led into 'mistakes' and impress upon them the power of the Empire. He noted that a similar practice was carried out by the French 'with good results'.³

In just over a year, however, Smith seems to have won the trust and praise of the LMS, and, if the Mission's accounts are accurate, of the people also. It was important to the Mission that he had imposed 'forced labour for drunkenness and was ready, if the New Zealand Government put up


² I/T Letterbook, 3/2, Carroll to Smith, 29 Sept. 1909. Smith's letter to which this was a reply was not printed in AMHR nor is it extant in I/T records.

³ AMHR, 1910, A-3, pp. 4-5. Smith also saw this as a means of ameliorating the perennial and chronic problem of inter-island transport. He mentioned that the LMS, 'as a matter of courtesy', granted passages on their ship 'John Williams' to the Commissioner and his staff on its once or twice yearly visits round the islands. However, this had become a matter of embarrassment and resentment to the Mission. See SSR, P. Hall, 2 Dec. 1909.
the funds, to support LMS requests for educational assistance.¹

But his administration did not meet with the approval of some of the European population. An outbreak of factionalism, akin to that which had confronted Moss, centred around disagreements between the medical department and the Commissioner's office. What had begun as a minor management dispute was swollen by other issues including European representation in the islands, land matters, and the grievances of a number of European residents who purported to speak also for a considerable body of Maori opinion.² Letters of complaint were received by the Minister; petitions were sent to Parliament; questions asked in the House were followed by an attack on the Administration; and letters criticising the Resident Commissioner appeared in New Zealand newspapers.

The Stout Inquiry 1911

The Government took the opportunity of an impending visit to Rarotonga by the Chief Justice, Sir Robert Stout, to ask him to inquire into the complaints.³ Stout's terms of reference were not to be confined to these but were to extend to 'all or any matters' which he deemed it advisable should be the subject of inquiry. He was also asked to furnish any suggestions with regard to the administration of the islands.⁴

Most of the charges against the Administration Stout found of 'minor importance' and he considered the Resident Commissioner had no case to answer on them. One charge, that related to the drainage of the Maererenga

¹ See ibid., Hutchin, 1909 report and James, 1911 report.

² See I/T Letterbook, 3/3, Waldegrave to H.T. Gibson, Avarua, 1 Sept. 1910; Carroll to W.R. Wright, M.P., 26 April 1911; NZEP, 1910, Vol. 153, pp. 250-51; 463-77. Wright (Wellington South) raised questions concerning the availability of the printed laws and ordinances of the Cook Islands; the sale and control of liquor; the number of doctors in the islands; the drainage of the Maererenga lagoon; and the house allowance of an officer of the administration. See ibid., pp. 1017-25 for his attack on the Administration.

³ Stout was to hear a charge against a European settler for the murder of a Mare islander. In advising Smith of Stout's visit, Carroll informed him that a jury composed of white men only was to be drawn up for the trial. I/T Letterbook, 3/3, Carroll to Smith, 1 May 1911.

⁴ AHE, 1911, A-38, 'Charges Against the Administration of Rarotonga, Cook Islands', Carroll (Acting Prime Minister) to Stout, 13 May 1911. The form of the Inquiry was left to Stout's discretion.
lagoon, he regarded as a local matter into which inquiry was impertinent and an abrogation of local government. Others he saw as resulting from chronic personal antagonism about which little could be done given the nature of the community. On the question of European representation, however, Stout pointed out that though the ariki had passed a resolution in 1909 granting the principle of European representation on the Federal and Island Councils, they had since changed their minds. He believed the matter was one that should not be pressed.

In discussions with the ariki and on visits to villages Stout was confronted with grievances that were not connected with the substance of European complaints. These included written as well as oral statements by ariki, mataiapo and rangatira which may be grouped under the following headings:

1. Resentment at the diminution of chiefly power:

... certain troubles arose during Colonel Gudgeon's time. It is the question of the powers of the arikis and mataiapos. This was done away with then. We do not know whether this was the action of the Government or whether it was the action of Colonel Gudgeon. We want to know, why was the honorarium given to the Arikis Courts done away with, and why was the Chief of the Council done away with ...? Why was that done and why were these things taken away from us?

2. Interference in ariki elections:

The greatest trouble in Arorangi is about the election of Arikis. The mataiapos here take part in it. We elected the Ariki we wanted and put him in this house. Afterwards a certain man came and told us that we had no right to do it - would not recognise our Ariki. I feel sore about the whole thing.

Some years earlier Gudgeon had set money aside for the drainage of the lagoon where mosquitoes were a health hazard. When reclaimed, however, the land would be valuable and the issue was complicated by the fact that it was privately owned. The problem was eventually resolved by the appropriation of the land for a government nursery.


10 ibid., A-3A, p. 19, Appendix L, Report of a meeting held at Ngatangiia, 20 June 1911. See also p. 22.

3. The departure from ideas the people had held since the Protectorate and annexation:

We were living in peace. We recognise that the King of England is lord over all of us and that we are under his power. It is what Lord Ranfurly told us when he came here to hoist the British flag over these Islands. We are obeying these things that he told us then, and we have not in any way broken them. But we now say that these things are changed. It is not as it was told to us on that day.14

4. Leases of land:

About the leases of land already executed ... the terms of these leases are for 99 years. We ask the Government to allow these leases to be reduced ... to 21 years because we have heard of the land laws of New Zealand concerning the Maori lands in New Zealand. We do not know for certain if the Parliament approved of this or if it was the work of Colonel Gudgeon. We agreed to this kind of lease because we were ignorant and knew no better.13

5. The powers of the Resident Commissioner:

That Administration is in one hand - in our Resident Commissioner's hands. That is too much for him to do, because he is our Resident Commissioner and is therefore the guardian of all people in the Cook Islands. He has also the position and power of Chief Judge. Therefore we want that he have one position only - that of Resident Commissioner.14

6. Education:

We want a Government School so that our people may gain knowledge. We are now British subjects and we want British education ... We are children and living in darkness and we want to be as wise as those under whose wing we are living... We want technical education. We want to be blacksmiths and carriage builders and to learn different trades that will be useful to us and we ask New Zealand to help us in this respect.15

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12 ibid., Appendix L, p. 19, Ngatangiia meeting.
14 ibid., p. 23. There was also a resolution from the Federal Council requesting a separate Land Court, Judge, ibid., Appendix M, pp. 19-20. The Council to Sir Robert Stout, 19 June 1911. It is probable that Smith drafted this as he had undertaken little Court work and, having no legal or court experience, was possibly anxious to be rid of the responsibility. However, he continued to draw his allowance for Land Court work.
15 ibid., Appendix K, p. 17, Notes of meeting with the Federal Council, 13 June 1911, Paero. Smith stopped the subsidies to both Tereora and Arorua schools shortly after this.
7. The actions of some of the 'aliens' in Rarotonga

Another thing is about the Europeans in Rarotonga who are living with Native women and who have begotten children and do not want to marry these women. What are we to do with these people?16

In all the speeches Captain Smith was praised for his tact and courtesy. The ariki assured Stout that they had no fault to find with him, the only trouble being caused by 'aliens to our island'.17

Stout’s replies to the speakers were fairly noncommittal, partly because he was not familiar with some of the issues raised. He agreed with them on the need for education and other aspects of training necessary for successful commercial enterprise. He assured them that their representations would receive most careful consideration. Of special importance to his listeners was his statement that the New Zealand Government still recognised the ariki because they were 'on the Council' and his belief that New Zealand was also 'exceedingly desirous that the government of the island should be maintained'.18

In his report Stout gave considerable attention to Maori grievances and in particular to the degree to which 'self-government' had been eroded. Stout noted that when the islands were ceded to Britain, the people had stated as a condition of cession that they should be annexed as 'part and parcel of the British Empire'. The islands were not annexed to New

16 ibid., p. 19, Ngatangiia meeting, 20 June 1911, Taiki. As Maoris were fined for 'co-habiting' it is apparent that discrimination in applying at least this aspect of justice was also relevant to the complaint. Gudgeon had deliberately hedged the relevant provisions of the Offences Ordinance, 1907 (Federal Ordinance No. 72 - An Ordinance dealing with certain offences contrary to Public Morality, s.7) in its application to Europeans because he said the proviso was necessary to prevent the police laying charges on mere suspicion. 'A Maori does not mind being brought before the Court on a baseless charge of this nature, but if we were to allow this with Europeans there would be trouble'. ibid., 1908, A-3, pp. 30-31, Gudgeon to McNair, 5 Dec. 1907 and enclosure.

17 'It is what we call a work of shame'. ibid., 1911, A-3A, pp. 16-17. Appendix K, (Federal Council), 13 June 1911, Taaro. Pa Ariki praised Smith for doing 'exactly as we want' and for his impartiality. Kainuku Ariki compared him more than favourably with Gudgeon. Smith had absented himself from the meeting so that discussion could proceed 'freely and without the slightest reserve'.

18 ibid., p. 19.
Zealand on cession in October 1900, but became part of New Zealand by virtue of an Order in Council of May 1901 extending the boundaries to include them. He thought the people had not taken any strong exception to this fact because they treated the Order as made for 'imperial purposes only'. However, he said,

they would have resented, and they do now resent, the idea that their local government has come to an end, and that they are held subject to the New Zealand Parliament.\(^{19}\)

The consistency of Ariki concern with self-government, for which there seemed wide support, had been made clear to Stout not only from the discussions but also from the resolution, to which he referred, passed by the Federal Council in 1908 repudiating the suggestion of representation in the New Zealand Parliament and affirming that the Cook Islands were a self-governing community under the British Crown. Stout believed that:

... if they are to become a self-regarding people they cannot be deprived of the control of their local concerns. If there is ever to be a higher civilization amongst the Polynesians they must begin to govern themselves; they must look neither to foreign legislatures nor to foreign politicians for guidance.\(^{20}\)

Nevertheless, he made no definite recommendations suggesting a realignment of policy that would give effect to his own belief and Ariki wishes. He did indicate the need for an adequate system of education, for the control of bush-beer drinking, and for improvements in the conditions of service of senior officials if men of high calibre were to be attracted to the islands.

In a separate report of his own preliminary investigation, Waldegrave supported Stout's recommendations while stressing, in particular, assistance with the fruit trade and the urgent need for a government system of education — a matter on which he conceded he had changed his mind.\(^{21}\) He recommended also additional medical assistance, improved steamer services and the secondment of a New Zealand Land Court judge to clear up the

\(^{19}\) ibid., p. 2.

\(^{20}\) ibid., p. 3.

\(^{21}\) ibid., A-3, p. 5, Waldegrave to Carroll, 30 July. Waldegrave had wide ranging responsibilities under McGowan (Hutchin maintained that he had more to do with the Cook Islands than McGowan (SSL, Hutchin, 3 May 1912). He had previously been convinced by Gudgeon's arguments over the type of education suited to the islands.
backlog of court work.

The Chief Justice appeared to have no doubt that self-government had been subverted. Nevertheless, his criticism was moderated by his reservations about the ability of the Maoris to govern themselves efficiently (he said they had not the same capacity for self-government as Englishmen possessed), and by his failure to advance concrete suggestions which might have given Maoris practice in the art of government he believed they needed. Moreover, to make self-government once again a reality, greater powers would have had to be conferred upon Maori leaders at the expense of the New Zealand Government and its representative; and, unless Federal institutions were to be drastically reconstituted on elective principles, this meant restoring power to the ariki. When it came to the point, Stout was unwilling, or unable, to recommend either course. He thought the Federal Council was no longer an adequate inter-island forum and that, in any case, continued supervision was necessary.

Stout's apparent inability to formulate specific proposals for even a modest increase in Maori participation in government was revealed also in his attitude to the Island Councils. He deplored the possible development of a situation in which successive 'Royal Commissions' could be demanded and granted on the basis of complaints made by a few dissatisfied persons. If the councils were not to have the power of management over 'local concerns' that would allow them to receive and deal with such complaints, it was better to have done with them and abolish local government altogether. But if such a course were adopted, he expected 'there would be a very vigorous demand made by the people ... for the severance of the Islands from the control of New Zealand'.

Stout's views were affected by his failure to grasp that it was not merely a question of the Councils being frustrated in the exercise of their powers by the practice of settlers appealing direct to New Zealand for redress of alleged injustices. The responsibilities which he thought rightly belonged to the councils were in fact held by the Administration.

22 AHR, 1911, A-3A, p. 2.

23 The hospital was managed by the Chief Medical Officer who was responsible to the Resident Commissioner; the drainage of the lagoon involved the allocation of finance which had been taken out of the hands of both the Federal and Island Councils; and public service matters had also been removed from the Council against the wishes of the ariki.
Discontented Europeans on Rarotonga saw little point in addressing their grievances to a Council which had little power and over which the Commissioner, who maintained that he represented their interests, presided in his other capacity as head of the Cook Islands Government. The Commissioner's powers and the kind of community within which he operated were conducive to personal attacks and appeals to outside authority.

The outcome, however, was that the islanders tended to be judged by New Zealand parliamentarians as incapable of managing a form of self-government over which they had no semblance of control. Even Stout judged them to have a low capacity for self-government after he had acknowledged that their opportunities for participation had been only marginal.

Hildegrave saw the situation in terms of a historical and political progression typical of countries where 'settled government' superseded the rule of native chiefs and missionaries. In the transitional stage, now being experienced, the chiefs were still attempting to cling to the shadow of the influence they had once possessed. In what was in effect an elaboration of Mills' view he said:

Every step taken must be tentative. The Government has to reconcile the conflicting interests of the European and the Native in the best way it can. Time and patience alone will solve these difficulties, but they are not rendered more easy of solution by their removal into the domain of politics. New Zealand has undertaken certain responsibilities in connection with the Cook Group. Among these responsibilities is the recognition of the right to self-government with the assistance of European administrators. The system has worked as well as might be expected.28

Since the visit of the 1903 Parliamentary party which received some very similar representations, far reaching changes had taken place without any significant material benefits. Of major significance to the Maoris was not only that their leadership and self-regard had been damaged, but that despite improvements in agriculture inspection and packing, 'we sometimes receive the same price as when we shipped in the days of our ignorance'.25

24 ibid., A-3, p. 5.
25 loc. cit. 'Address from Makea Karika and the Ariki family', 14 June 1911.
Waldegrave's address to the people was calculated both to place them in a child-like position vis-a-vis New Zealand and to raise their expectations that some action would be taken on their grievances. Using the idiom and metaphor affected by the Maoris themselves (and commonly used by Europeans negotiating with Maoris), Waldegrave assured the people that 'The Government of New Zealand is your parent, and the parent hears the voice of his child, no matter how far off he may be'. The Government wished to know what was in their hearts and to do everything in its power to help them and 'preserve' their race. As in 1898, the people were warned against those who sought to sow dissension between them and their parent. 26

The parliamentary debate which followed the tabling of Stout's report was concerned only occasionally with its emphasis on the diminution of Maori participation in government - a finding which substantiated Opposition criticism in 1903. With an election pending and the Liberal Government under pressure, its opponents sought maximum capital from what they alleged to be shortcomings both in the report and in the provision of essential services to the islands. The report was attacked because of the low priority Stout had given to European complaints and his exoneration of Emaa Smith. The Government was accused of having brought the Judiciary onto the floor of the House and contaminated it with party politics - a criticism which was also a barely veiled tilt at the ex-politician Stout. 27

When Maori grievances were mentioned, opinion in the House was divided on whether the islanders really governed themselves. Some shared the Government's view that the Administration was 'practically in the hands of the islanders themselves who are really governing the country under the supervision of the Government of this Dominion'. 26 Others maintained that

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26 ibid., p. 3.

27 The Opposition's attitude to Stout's role was echoed privately by Gudgeon who maintained that he had been 'sent down to whitewash Smith'. Diary 1913-19, entry for 13 April 1914. A former Premier and close associate of Ballance, Stout was defeated by Seddon in the bid for leadership of the Liberals after Ballance's death in 1893. He resigned from the House in 1898 and in 1899 accepted the office of Chief Justice which he held for 26 years. An ardent prohibitionist, opponent of sweated labour, and supporter of female suffrage, he also served with Ngata on the 1891 Land Commission.

28 EPR, 1911, Vol. 154, pp. 705-6, Stallworthy. See also Te Rangi Hiroa, p. 702.
government in the islands had broken down completely, while still others asserted that the Resident Commissioner was only the medium for New Zealand's colonial rule. In the latter case charges of maladministration were predictable as instanced by examples in India, Jamaica and Borneo.29

Of those who counselled the need for sterner authority, the chief proponent was Allen who alleged that 'the natives were getting out of hand'. Although once a critic of Gudgeon, he had since been to Tonga and was convinced that George II was about to offer his kingdom to New Zealand. The fuss in the Cooks and in the newspapers seemed to have jeopardised this opportunity. As Smith had none of Gudgeon's attributes, Allen blamed the Government for picking a man who could not manage a situation that required a strong hand, not 'laxity'.30 New Zealand's reputation had suffered and if there was to be a choice between Australia and New Zealand for the assumption of greater 'responsibility' in the Pacific, New Zealand would be left out in the cold.31

Ngata blamed the European settlers for the troubles. The 'noise' created by a 'small section of a small minority of the inhabitants' was the logical outcome of the intrusion and arrogance of Europeans, and of the privileges gained from the British 'bumbling' into the Pacific. The weight of this intrusion and meddling was 'the brown man's burden'. He contrasted this with the burden mentioned by Russell in 1901, consisting of all the amenities which Europeans felt obliged to offer the Maori when they undertook the responsibilities of annexation. In Ngata's view, the latter was what the 'average British citizen' meant by the 'white man's

29 ibid., p. 723, Laureson.

30 ibid., p. 702. Allen said that because of Gudgeon's background and experience, he knew how to deal with the people. Te Rangi Hira had tried to point out that it was not the Maoris who were complaining about Smith, and he asked whether members would have caused a stir 'if it was entirely for the benefit of Maoris ... down there'. ibid., p. 702.

31 ibid., p. 703. These last words were almost a repetition of Seddon's prior to annexation. See also ibid., Vol. 135 (Imprest Supply Debate), 20 Sept. 1911, for Allen's analysis of the situation in Tonga and his advocacy of a closer connection.
burden. But in order to bear this burden, he said, the white man must pay; and this was where one touched on the weakness of 'John Bull and his sons' everywhere. Complaints had been made not only about the cost of the administration of the islands but also about the lack of essential services such as health and education. The policy of the New Zealand Government and Parliament was that the islands should be self-supporting, yet while administration expenditure was now exceeding revenue, Government and Parliament were attempting to force the islands to meet the cost of an increasing number of amenities. This was a financial position, Ngata pointed out, that would not be tolerated in New Zealand. The only remedy was for the establishment of priorities and for New Zealand to put more money behind her 'philanthropic purposes'.

While this was an accurate surmising of the situation, in other matters Ngata's knowledge of the Cook Islands and the changes that had taken place there was extremely limited, as he admitted. But his one irritation with the attack on Stout and the Opposition's concern with European interests led him to declare that were he a Rarotongan, he would be tempted to suggest a solution to these troubles:

I could suggest that it is not too late - before there are introduced into Rarotonga Native Land Courts, individualization of titles, Native Affairs Committees, and all the other things, that poster the Polynesians in New Zealand - to decree that the intruders shall be deported from Rarotonga, and the Rarotongans be left to themselves to recover, if they can, their former happy existence.

More seriously intended was Ngata's analysis of the current political position. He doubted whether the 'constitution' given to the Cooks was

32 To Ngata, the white man's burden also meant that he has to wean the native races from their superstitions; to counteract their cannibalism by better influences; to teach them that being in the nude is indecent - that they must be clothed in calico or coolieless, according to their climate; to teach them that a knowledge of the Polynesian language is not sufficient to stamp one as an educated person - that one must understand the language of the superior race, English; to teach them that they must give up their religion, such as it was, and in place of it to adopt the principles of Christianity; to educate them to patronize hospitals and the educated medical men, as opposed to their own tohungas - in fact to teach them to throw overboard all their ancient customs, and to adapt themselves to those of the people who have intruded themselves into their midst - that is the white man's burden. ibid., p. 129.

33 ibid., p. 339. Ngata himself had encouraged some of these institutions.
adequate. He felt the House must consider the question of Parliamentary representation, whether to sever the Cook Islands connection, or to hold them as lightly as possible so as to allow them to work out their own destiny side by side with New Zealand with as little interference as possible. This accorded with Ngata's aims for his own people but it was apparent that the best potential advocate for Maori feeling in the islands had not done his homework and was not prepared to make an issue out of the matter. Though his prose was elegant and his sentiments well-founded, he was no nearer a solution than other concerned parliamentarians had been since annexation.

Parliament had shown itself disinclined to grapple with the basically political grievances of the islanders and the feeling behind them - which one member summed up as 'Rarotonga for the Rarotongans'. Along with the question of education, it had been led off into areas of European concern such as leprosy, syphilis and liquor. Nevertheless, Opposition and press attacks had exposed a lack of achievement and had induced Carroll to assure the House that better educational facilities and more medical appointments would be provided.

Smith had been exonerated by Stout and praised by the ariki as neither Moss nor Gudgeon were. But he was replaced after a decent interval. Personal animosity towards him among the settlers in Rarotonga had not died down and the Government could not afford to keep a man who attracted such political attention.

34 Ibid., p. 706, Stallworthy.
36 Smith had previously been Commissioner of Old Age Pensions in which position, it is said, he showed commendable economy. He left Rarotonga to become Secretary of the Cook and Other Islands Administration in Wellington. There had been three further petitions asking for his removal, the appointment of a Land Court judge and a Royal Commission, which had not been processed by the appropriate committees of the House. I/T Letterbook, 3/3, Waldegrave to Chairman of Public Petitions Committee A-L, 19 Aug. 1911; Waldegrave to Chairman of Public Petitions Committee M-Z, 29 Sept. 1911.
Administration in decline

Nind's liberal Government survived for only a few months after a tie in the 1911 general election. Responsibility for Cook Islands affairs passed from Carroll to Te Rangi Hiroa in the equally short-lived Molendie Ministry that followed. When this gave way in July 1912 to the first Reform Party Government, led by William Massey, the new Cook Islands Minister was Paul Pomare. He continued in that office through five ministries until the Reform Party was defeated in 1928.37

The only action taken on Cook Islands' requests and Carroll's assurances in 1911 was the appointment of an additional medical officer and a New Zealand Land Court judge, C. MacCormick. Arriving in Rarotonga in February 1912, MacCormick acted as Resident Commissioner for almost a year. Pomare asked him to furnish yet another report on conditions in the islands, in which he might offer suggestions 'to place the Government ... on a better footing'. The politically sensitive issue of the sale of liquor and bush-beer drinking was given high priority, as was the matter of whether the islanders were law-abiding.38 The kind of questions which Pomare posed as a result of political, public and missionary pressure drew attention away from issues which had dominated chiefly thinking.

In due course MacCormick confirmed that the people were law-abiding in the 'highest degree' and that Rarotonga was far from the hot-bed of drink and disorder suggested in the newspapers. He had observed no signs of discontent among the people, nor did he think they had cause for any. He said the ariki and chiefs had expressed themselves well satisfied - as MacCormick thought they should be since, in his opinion, they had a large share in their own government and much had been done for the health and prosperity of the people. He found that a medical report on the prevalence

37 Allen became Minister of Education and Berries, Native Minister.

38 I/T Letterbook, 3/4, Pomare to MacCormick, 3 Oct. 1912. See also ibid., Smith to Te Rangi Hiroa, 30 April 1912, concerning press reports that the 'natives' were getting out of hand and urging him to investigate the bush-beer situation. There were three kinds of bush-beer - orange, banana and pineapple, all intoxicating. The beer was made by squeezing the ripe fruit into a tub, adding other ingredients, including hops (which could be imported without restriction) and leaving it to ferment in a secluded place where it was drunk when ready. See AJHR, 1911, A-3, p. 11, where Smith said that the beer was usually consumed on a Sunday, often straight after church service.
of leprosy which had sparked off a furore in the press had been grossly exaggerated, but he restated the problems of health and education that had been raised before him by Gudgeon, Smith and Stout. 39

As To Rangi Hiroa had not made a substantive appointment, in October 1912 Smith outlined to Pomare the qualities he thought desirable in a Resident Commissioner. The first prerequisite was strength, because the whole administration of the group fell on the shoulders of one man. The second was honesty, because 'we in New Zealand have little control over the Resident Commissioner once he is appointed'. 40 Though the senior detective whom Smith favoured for the position was passed over, the new Resident Commissioner seemed to fit these requirements. Henry Northcroft was a military man who had been decorated for conspicuous gallantry during the Maori wars. A stipendiary Magistrate when he retired, he had served in five North Island districts. He was said to have been an accomplished linguist. He therefore had many of the attributes which Gudgeon had brought to the position. Moreover, the two men were close friends. 41

Northcroft was scarcely well settled before the clamour of the parliamentary debate examining the shreds of Smith's administration had died away and an investigation of his own credentials had begun. There had been virtually no break from the close scrutiny of some aspect or other of Cook

39 Ibid., 1913, A-3A, pp. 6-7, MacCormick to Pomare, 7 Nov. 1912. In this he was supported by the medical officers, ibid., 1913, A-3A, p. 10 and 1914, pp. 29-30. See ibid., 1912, p. 9 for the medical report by Dr Percival who claimed that leprosy was prevalent in all the islands except Rarotonga.

40 I/T Letterbook 3/4, Smith to Pomare, 29 Oct. 1912. Smith did not favour MacCormick who he believed had been asked for a confidential report on his administration. Smith complained that his administration had thus been investigated three times - by Stout, by a Petitions Committee of the House and by MacCormick - and though he had been officially cleared, he was still being slandered in the press. Ibid., Smith to Pomare, 12 Dec. 1912.

41 See Auckland Star, 21 July 1909, 'Henry William Northcroft, soldier and Magistrate: a Remarkable and Honourable Career'; Enzed Junior, 13 Feb. 1937, 'Stories of New Zealand: The New Zealand Cross - a Reward for Deeds of Valour - Brave Men in the Maori Wars' by James Cowan; and T.W. Gudgeon, Defenders of New Zealand, Auckland, pp. 147-52. Northcroft had been recommended for the Victoria Cross but, since it was not available to colonial soldiers outside the regular forces, he was eventually awarded the New Zealand Cross instead. Born in 1844 in Essex, England, he had settled with his parents in New Plymouth in 1851. At 15 he participated as a guide when war broke out in Taranaki in 1860, and was 65 when he retired as a Stipendiary Magistrate in 1909. He was therefore 69 when he was appointed as Resident Commissioner in 1913.
Islands affairs since 1910. This continued throughout Northcroft's administration; like his predecessors he, too, was subject to considerable criticism.

Initially Pomare's own situation was also difficult. The 1912 session was his first, both as a parliamentarian and as a Minister, and he was faced with the hostility of his Maori colleagues all of whom were in the Opposition. In the aftermath of the Stout investigation, he had tried to resist attempts at petty interference from an occasionally waspish house fed by white islands residents. This unhealthy interest in the social habits of the Maoris was calculated less to secure Maori needs than to further discredit a Commissioner who had already left the islands. Pomare and the Government were then accused in Parliament of setting up a separate 'department' in which to harbour and coddle Smith who could continue to exert a malign influence over island affairs. Later, when some aspects of the Stout report seemed to have registered and members were criticising the appointment of Northcroft, Pomare was blamed for having replaced a man in whom the Maori people had expressed confidence.

Although there was continued pressure on health and education, Parliament's concern with the minute and domestic details of administration led to pettiness with which Pomare sometimes found it difficult to cope except by denial, bluff and in some cases evasion, since it was obvious that many of the details leaked to the press or to politicians were unknown to him. There were demands for another Commission of Inquiry, this time composed of businessmen with 'no fads or theoretical fancies' who could be relied upon to produce a 'proper and sensible report'. The demands were made on such grounds as that, for want of a jail and proper punitive attitudes,

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42 HARD, 1912, Vol. 160, pp. 325-44, for debate on the Report of the Committee on Reynolds' petition and the attack on the liquor situation. Escott cited letters from Ambridge and the trader Kohn of Korotonga regarding the drunken state of a part-Maori. Smith was accused of being a drunkard and of 'sneering' at the missionaries. See also Wilson (p. 310), who instanced the case of the public works manager's being bitten in the leg by a planter during a 'drunken orgy' and being left in a 'dying condition' from blood poisoning for weeks afterwards.

43 Ibid., 1913, Vol. 163, p. 320. See for example, the urgent telegram from Pomare to Northcroft requesting full particulars of a shooting affair in which a child was killed. 'Matter reported in New Zealand papers. No official intimation received'. I/T LB Letterbook, 2/4, 8 May 1913.
a prisoner had been allowed to attend a picture show one evening. This information had been conveyed to a shocked MP. Pomare himself was subjected to severe personal attacks.

The appointment of Northcroft was attacked on the grounds of his age and ill-health. There was an attempt to create a rift between Pomare and Massey by claiming that Northcroft was a Massey nominee, foisted upon Pomare against his wishes. Kyata, who had favoured MacCormick and was unsympathetic to Northcroft’s background, was apprehensive about his advocating the lease of land to Europeans. Nevertheless, many members admitted that Northcroft had the right qualifications for keeping the Maoris, bush-beer drinking, and crime under control. Parliament was now less worried about the position of the Resident Commissioner as such, than he was and whether he would act effectively on the issues that were important to it.

Each Resident Commissioner tended to gather around him a small cadre of loyal men. Consequently, at the installation of each Commissioner there was a certain amount of upheaval and ill-will. Northcroft was no exception. But the biggest upheaval was caused by his arranging that Gudgeon take the Land Court while he was holidaying in Rarotonga.

The reaction to Gudgeon’s presence and his subsequent temporary appointment was swift. Karika Ariki petitioned that he be allowed to finish dealing with all lands of Rarotonga ‘as the only man who knows the customs

45 Apsersions were frequently made about his American medical qualifications. *Ibid., see, for example, p. 332 (Isitt), and Witty’s reference to ‘quack doctors’ in *Ibid., 1913, Vol. 160, p. 670.
46 *Ibid., p. 819 ff. It was alleged also that a Mr Kohn of Rarotonga, who had been one of Gudgeon’s supporters, had recommended Northcroft to Massey, who then pressed the appointment against the wishes of Pomare.
47 He had brought with him a replacement for the registrar of the High Court and Land Court and had quickly lost faith in the officer in charge of the police. This had repercussions in Parliament because of the importance placed on the detection of bush-beer drinkers. *See *Ibid., p. 619.
of the islands'.

But Pa, Kainuku and several other chiefs, whom Gudgeon called 'the ariki and Nataiapo thieves', notified Northcroft that they would not recognize Gudgeon's court and would appeal to New Zealand. If he persisted they threatened to pull down the New Zealand flag and replace it with the British. At an Island Council meeting they informed the Commissioner, presumably on the basis of the September 1900 petition, that they had a right to be consulted over all appointments. Northcroft denied this. Consequently, they refused passage to a Road Tax Ordinance put before them.

The opposition to Gudgeon extended to Northcroft, at first by association and then as a result of his attitude to the ariki. It was nourished by old discontents as the ariki sought to test his administration against the 1900 promises. Under Smith, they may have felt it was possible to retrieve some of their former powers or to have modified an unequal relationship. Under Northcroft they were aware of old dangers and the possibility of new ones, particularly as the Federal Council had now ceased to function.

It is difficult to know to what extent Northcroft shared Gudgeon's attitude to Pomare - one of open hostility and contempt, tinged with the racism that was frequently directed towards highly educated 'half-castes' in New Zealand. Gudgeon believed Pomare and Smith were hostile to Northcroft because they wanted someone else who would have been a 'mere agent' in their hands. The truth is probably less conspiratorial. During this troublesome period, the Minister may well have wanted greater control through a trusted official, and if there was substance to the suggestion, he may also have resented Massey's influence in the appointment of another man who had taken part in the arrest of Te Whiti at Parihaka which he had

49 Gudgeon Diary, 1 July 1913. I/T Record Book 2/1, Northcroft to Pomare, 3 July 1913, forwarding petition from Karika and the Uritaua tribe. It was this tribe who had been threatened when Gudgeon was due to leave the islands in 1909.

50 Gudgeon Diary, entries for 1, 2 and 6 September, 1913.

51 Ibid., entry for 6 Sept. 1913. Gudgeon blamed Smith for so 'buttering up' the ariki to get their support against the Europeans that their heads had swelled to bursting point.

52 Ibid., entries for 20 June, 8 Nov. 1913. Gudgeon maintained that there was collusion between Pomare and the Chief Medical Officer to wear Northcroft down and to replace him.
witnessed as a child. There is evidence, however, of only one major
disagreement between Pomare and Northcroft.

tension over the Commissioner's handling of the projected return to
Raratonga of a European settler who had served a sentence in New Zealand
for manslaughter. Northcroft opposed his return. Pa and Kaimuku, who were
not averse to resorting to the settler tactics of lobbying Parliament,
called the assistance of the M.P. Glover. There was vigorous division of
opinion on the island. However, Northcroft had given an impression of
island sentiment that did not coincide with the letters written to Glover
and passed on to Pomare. The return of the settler to Raratonga was a
setback in prestige for Northcroft. Nevertheless, as the general state
of the Administration caused increasing concern, it is clear that Pomare
relied heavily on his advice.

The unsatisfactory state of the laws provided yet another example of
the 'games', as Gudgeon put it, which factions played and the attempts made
to enlist Maori support in confronting the administration. Shortly after
the visit of the Governor in 1914, a European grower deliberately presented
two cases of bananas that were unfit for export. These were duly condemned
by the fruit inspector and the grower was summoned before the court. The
man admitted the offence but said that, if convicted, he would appeal to
the Supreme Court of New Zealand on the grounds that, as with other laws,
the Fruit Inspection Ordinance of 1909 was illegal. Believing that all
the ordinances would soon be validated, Northcroft deferred his judgement.
Planters held meetings in all the villages of Raratonga in an attempt to
induce the Maoris not to ship. In this they failed, but the exercise
demonstrated the tenderness of the Administration, the hostility of many
settlers, and the carefully selected issues the chiefs chose to support.

Even after he had returned to Auckland, Gudgeon was clearly disturbed
at the state of affairs in the islands. He had noticed for some time that
Northcroft's health was deteriorating; that he was becoming tactless and

53 Letterbook 3/4 Pomare to Northcroft, 9 May, 20 June 1913. In the
event nothing could be done legally to prevent the man's return, for
the case revealed serious deficiencies in the law. These will be
mentioned later.

54 Gudgeon, Diary, entry for 19 July 1914.
The financial position of the group was deteriorating; the *puiki* were becoming increasingly assertive, the Europeans carping and disruptive; and he felt there was a threat to the independence of the Administration through ministerial interference. Gudgeon himself had been engaged in an exchange in a newspaper with Glover who had charged him with causing trouble in the islands by his court decisions. Gudgeon and some of his supporters had already queried the wisdom of some of MacCormick's judgements and he feared that his own approach might be reversed with a 'wretched half-caste Minister who like all his breed sympathises with the chiefs against the people'. Moreover, Pomare was to be the only Minister to accompany the Governor on his forthcoming visit to the islands. For Gudgeon this was disturbing. Not only was Pomare a 'Maori skunk' who would promise anything to the 'Tokitiumi gang', but it was conceivable that another inquiry might result if opposing factions could whip up enough support. In the event, despite the repetition of old complaints and new ones about the 'chaotic' state of the laws, the visit occurred without incident.

Northcroft had inherited all the accumulated ills of an Administration pushed beyond its resources. In 1914 he reported that, in addition to the state of the laws, the health position was 'deplorable', no action had been taken in the matter of education, an efficient Land Court judge was needed, and there was unrest among the Resident Agents.

Many of these problems had been partly hidden while Gudgeon was Resident Commissioner. He had been strong enough to curtail the grosser, and sometimes the legitimate, demands of the settlers and had often played

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55 ibid., entry for 14 Sept. 1913. After a visit to Auckland six months later, Northcroft felt better but confided to Gudgeon that he dreaded 'going back to a place where he had no-one to talk to'. In this matter Gudgeon agreed with him. ibid., 15 April 1914.

56 ibid., entries for 14, 17 March and 15 April 1914.

57 AMR 1915, A-3, p. 3, Northcroft to Pomare, 15 April 1915. The visit took place over the period 22 May - 11 June 1914. There was no record of the discussions held. The anti-Northcroft faction boycotted the garden party given for the Governor and the Pomares.

58 ibid., 1914, A-3, p. 5, Northcroft to Pomare, 23 May 1914.
factions against one another to suit his own purposes. Moreover, he had
served under Ministers whose other portfolios left them little time for
island affairs. Smith, on the other hand, could not control the settlers
but had won the confidence of the *ariki* by an attempt at consultation and by
not pushing too hard. He lacked the driving energy, peculiar vision and
personal authority which had assisted Gudgeon to keep the reins of islands
policy largely in his own hands. The belief in New Zealand about the
continued viability of Maori government also tended to hide certain basic
issues. MacCormick's report had shown the superficiality of a preoccupation
with emotive issues, such as liquor, as against pressing economic problems.
When it came to the point, the failure of the Administration to meet Maori
expectations was no longer of any significance in Parliament. The over­
riding concern had become to placate New Zealand opinion about administrative
inadequacies. Apart from the fruit trade, which was a shadow of what it
might have been, New Zealand's greatest stake in the Cook Islands was a
besieged and partly impotent administration. 59

The most important source of revenue before annexation had been that
derived from customs duty. After 1901 this was cut drastically when New
Zealand goods, which constituted the bulk of imports, were admitted free.
This made the potential of the fruit trade all the more important from the
islands point of view. However, the major limitation placed on production
(which would have applied even if Gudgeon's tenure reforms had worked in
the way he expected) was New Zealand's consistent refusal to act in the
matter of shipping and the protection of fruit - an essential prerequisite
for achievement of the economic objectives pursued since 1896. Shortcomings
in both areas had resulted in repeated yearly submissions, petitions,
deputations and protests from growers, importers and officials alike, as
well as requests to every official visitor to the islands. Losses on
fruit left rotting on the ground because of lack of transport or space, or

59 The LMS felt that their own stake in the islands was not much better.
The Mission Secretary in London, Wardlaw Thompson, said in 1911:
'One's inclination is to urge the Board to leave the Cook Islands.
We have done our best ... yet after all these years they are
unspiritual, unresponsive and a vexation to those who most earnestly
labour for their good. The natural feeling is that it is time they
were left, yet I question if that is a true interpretation of God's
will concerning them'. In 1915, a member of an LMS deputation to
the Cooks referred to them as constituting 'religiously the most
difficult piece of the Society's work in all the South Seas'. Norman
Goodall, op. cit., p. 401.
became putrid on wharves because of shipping delays, caused resentment reflected in attitudes to further planting, picking and care of crops. Gudgeon had seen the weakness in the perishable fruit trade and had attempted to coerce the people into increased planting for ceps.

Not only did New Zealand decline to act in the matter of protection, but it was even suggested that the islands should be subject to the same regulations governing the importation of fruit from places outside New Zealand. Carroll was able to convince the fruit inspection authorities that the islands were, for the purposes of the regulations, an integral part of New Zealand and that fruit coming from them was therefore entitled to be treated as coming from one part of the Dominion to another. But this logic had not been applied to protection, nor did it apply to the special railway rates enjoyed by New Zealand producers.

The ambition to raise exports to the level where the islands could meet the whole of New Zealand's need had been abandoned, but even the lesser aim of selling as advantageously as possible was made progressively difficult. As Gudgeon had done, Smith drew attention to the competition with fruit from countries which did not extend preferential treatment to New Zealand exports. He requested reciprocation and recommended that a duty be placed on oranges and bananas from outside the islands from 1 March to 30 September each year.

In regard to shipping, Cook Islands trade continued to suffer from delays and failure to call. The timing of the ships was poor and they often arrived after the cargoes of other ships had glutted the metropolitan markets. Even with an improvement in the number of calls after 1909, and diversion to Wellington as well as Auckland, produce was subject to discriminatory freight charges and space allocation as against Tahiti and Fiji by the Union Steamship Co., whose vessels were under contract to the New Zealand Government. The ships themselves were slow and unsuitable.


61 ibid., 1910, A-3, p. 4, Smith to Carroll, 20 June 1910. Smith repeated precisely the same statements in his next two Reports (1911 and 1912), and attention was drawn to the problem again by MacCormick in the following year. ibid., 1913, A-3A, p. 1. The Ministers ignored these issues in their covering Memoranda. See also Reesing, op. cit., p. 33, for the boost given to the sugar industry in Hawaii when that territory was admitted within the American tariff wall.
for the carriage of perishable fruit.

No real progress had been made by the time Northcroft again called attention to these things in strong terms in his 1914-15 report. He advanced a case for special carriage rates and protection on the grounds, similar to Smith's, that the Cook Islands were part of the Dominion, that New Zealand products were imported duty free, and that the Cooks received nothing in return. Restrictions in space allocation on the mail steamer, which had worked to the advantage of the French, had virtually killed the growing copra trade with America.

It was evident to Northcroft that if the situation continued, he would be attempting to induce growers to plant and export produce which in the first months of the season produced virtually no returns, other than those made by New Zealand merchants on the fruit cases supplied. The islands would therefore be likely to face falling exports and increased public expenditure which they could not hope to meet. But it was clear that New Zealand was interested primarily in islands fruit in the off-season. Neither her professed altruism nor the prospect of an economically and financially dependent group shook the complacent belief in the possibility of a self-sufficient islands economy. Greater priority was given to maintaining supplies of cheap fruit and optimum conditions for her own exporters. In every annual report New Zealand's predominant interest in the Cook Islands was demonstrated by the precedence given to finance and, in particular, to import and export figures. Successive ministers continued to express their gratification at the yearly rise in the rate of imports from New Zealand and at its increasing share in relation to other countries.

The effect of New Zealand's refusal to recognise the implications of her policies for the islands was not only to frustrate the spontaneous growth of the fruit industry. Limited revenue had to cope with the increasing burden of salaries and housing for a growing bureaucracy, to finance fruit improvement schemes and to undertake numerous public works.

62 AJHR, 1915, A-3, pp. 7-8, Northcroft to Pomare, 15 April 1915. Northcroft backed his case for protection by pointing out that, in 1913, under the existing one-way arrangement, the loss for that year in import duties was $4,355 and in 1914, $4,886. With over 70 per cent of Cook Islands revenue derived from its reduced customs income, a proposed rise in carriage rates meant a proportionate reduction in exports and therefore customs duties—a loss he estimated at $5,213.
aimed at the facilitation of trade—such as roads, bridges, reef passages, packing and fumigation sheds, and cool stores. In addition, there was pressure to meet rising health and education expenditure. Northcroft's figures for the loss of customs revenue to New Zealand show that, though the imposition of duties would have meant higher prices to island consumers, the revenue would have met most of the estimated increases in public expenditure.

Moreover, there was an incredible pettiness both in the islands and in New Zealand concerning estimates and salaries. According to a memorandum from Pomare to the Minister of Finance in 1913, a year after McCormick had stated that their revenue was at breaking point, the Cooks were forced to pay a £100 rise for the Resident Commissioner whose salary was otherwise met by New Zealand. Refunds were also demanded for the salary of a fruit inspector and the temporary services of two others.63

The growth of an Administration dictated by New Zealand concerns and standards, together with current and projected improvements, particularly in the health sphere, also raised the issue of control. Smith had maintained that it would be necessary for New Zealand to find the money if adequate medical care was to be maintained. Northcroft reasoned that since the Cook Islands were part of New Zealand it would be more practicable for the Health Department there to take control of health in the islands, the Administration paying a proportion of the costs to be assessed each year.64 For education, Smith had favoured total New Zealand subvention but local control. Northcroft, in line with his other proposals, a deteriorating financial situation, and the more marked shift of decision-making to Wellington, recommended New Zealand control with the islands meeting the cost wholly or largely from local revenue. Other factors aside,

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63 I/T Letterbook, 3/4, Pomare to Minister of Finance, 17 May 1913. See also Smith to Te Rangi Hiroa, 23 May 1912—estimates. Another example is provided by the case of the Surveyor who was also Engineer and had constantly to travel. Except for an early rise of £25, his salary remained virtually the same from 1896 to 1915. Cuts were made in salaries of some outer island Resident Agents, Maori and policemen. A nurse received a yearly salary that was less than half the housing allowance paid to a senior Administration officer.

64 Ibid., Smith to Pomare, 23 May 1912; and AHR, 1914, 8-3, p. 5, Northcroft to Pomare, 27 May 1914. In most of the years following 1909 expenditure for medical purposes was more than three times the level in that year.
New Zealand's economic policies made it less likely that direct control over most aspects of Cook Islands affairs could be averted.

In 1914 Northcroft reported that from 31 December 1904 there had been no validly constituted body to make laws; all ordinances passed by the 'so-called' Federal Council and assented to by the Governor were therefore null and void. The proceedings of the Land Court from 7 February 1906 also required to be validated as there was no properly constituted court during that period.

Efforts to prevent the return of the settler convicted of manslaughter had revealed hitherto unsuspected weaknesses in the law although some confusion and uneasiness had always existed - as was evident from Gudgeon's early request for clarification of certain of his powers. Gudgeon had also left a federal ordinance for Smith to sign which validated all ordinances passed during his regime. There had been some confusion as to the correct instrument for the appointment of Smith as Chief Judge of the High Court. Smith's discovery after the manslaughter trial that the laws passed by the Federal Council were without effect was born out by New Zealand legal officers. Their formal opinion, sought by Smith, made it clear that the 1901 Act had provided only for the old Parliament to continue with a new name; it had not provided any authority for its replacement by the body requested in the ariki petition of September 1900.

Mills had assured Gudgeon that a validating clause in the Cook Islands Amendment Act 1903 had provided for the Federal Council to continue in office until 31 December 1904; the islands Administration had thus been placed on a 'secure and valid foundation'. The extension of the Council's...
term to the end of 1904 had been stipulated because at that time it was also necessary to reconsider the principal Act. When Parliament extended the Act, however, it neglected to make provision for the continuation of the Council in its present form. This meant that the terms of the Federal Constitution Act again applied and under its provisions the unelected 'Council of Ariki' was not valid in law. This fact had been missed in the legislative consolidation of 1900. It was some time before its significance was appreciated in Rarotonga - hence the challenge by the banana grower and Northcroft's ploy to reserve judgement. Hassey had maintained that the Land Titles Court should have been constituted by statute, but Mills had been forced to withdraw the validating clause he had at first proposed in the 1904 legislation and he did not substitute any other. After Smith first realised the extent of the legal problems in 1912, it was intended to have the Cook Islands Federal Ordinances brought up to date, the defunct Federal Council reconstituted, and other legislation revised.

Two attempts were made in 1912 and 1913 to tackle the legal problem by reviving the Federal Council. Under a Cook Islands Government Amendment Bill introduced by the Liberals in their last year of office, Federal ordinances were to be validated and the council itself reconstituted.

The Council membership was to consist of the Resident Commissioner or his deputy, who was to preside at all meetings, five ariki of Rarotonga, three 'Native Residents' of Rarotonga to be elected by native residents for a term of three years and three native residents of Rarotonga each representing the islands of Mangau, Aitutaki and Atiu respectively, who were to be chosen by the ariki of those islands. In addition to these members, the Governor was authorised to appoint from among the native residents of Rarotonga a member to represent the Northern islands, and from among the European

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70 The Cook Islands Government Act 1908 consolidated all post-annexation legislation passed by the New Zealand Parliament: the Cook and Other Islands Government Act 1901, the Cook and Other Islands Government Act Amendment Acts 1902, 1903 and 1904, and s. 23 of the Appropriation Act 1907. This was part of a general consolidation of all New Zealand statutes, without substantive amendments, agreed to by the Opposition.

71 I/T Letterbook, 3/4, Pomare to Attorney General, 4 Aug. 1912; Smith to MacCormick, 12 Sept. 1912; Pomare to Northcroft, 25 May 1913.

72 Containing 17 clauses, the Bill was in the form of an amendment to the 1900 consolidating Act.
residents a member to represent them. The Governor could remove any member from office. The Council itself was to fix its time of meeting and its order of business. There was no provision specifically regulating or restricting its competence. With regard to the application of the laws, in all civil proceedings in the High Court between Europeans the law in force in New Zealand was to apply except insofar as it might be inconsistent with any ordinance passed by the Federal Council.

The Bill had not been dealt with before the Liberals lost power in July 1912. It was reintroduced by Forre in 1913 in amended form. Modifications were made to provisions for membership of the Council, including the extension of outer island representation. The proposal for a European representative on the Council was dropped, presumably in deference to Smith's submissions and the possibility of further trouble from the ariki. The section applying New Zealand law in civil proceedings between Europeans was also deleted. In addition, the Bill sought to validate the Land Titles Court which had not been mentioned in the earlier measure.

While not reversing all the trends found by Stout to be abhorrent to the chiefs, these Bills had gone some way to restoring Federal Council competence and meeting Barotongan complaints. But they further and blatantly entrenched Barotongan hegemony, already a sore point, at the expense of the outer islands in order to overcome the problems of inter-island transport. It was unlikely that the outer island ariki would have accepted this, especially as there was no provision for consultation. There was already considerable ill-feeling about Barotonga's share of public works and services. Moreover, there was still the basic question, not really tackled, of the entrenched position of the Resident Commissioner and the Administration.

The 1913 Bill, too, was withdrawn, probably because of the strong reservations held by the newly appointed Northcroft and his desire to make

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73 The Barotongan resident to represent Atiu was to represent Mitiaro and Mouke also, and to be chosen by the Governor instead of the ariki of those islands. The representatives of Atutaki and Mangai were to be chosen by their Island Councils instead of the ariki. The provision for a representative of the Northern islands was made mandatory. Cook Islands Government Amendment Bill 1913, Cl. 5. There were 20 clauses altogether.
his own assessment. By this time, Smith, who had influenced the legislation, had left the Department and it is evident that Pomare himself had doubts concerning the ability of the islanders to make the Federal Council a viable institution.

Smith had assumed that the Federal Council would continue. The legal position aside, he was understandably concerned with the question of European representation and the propensity of the settlers to make trouble. He felt that Maori-speaking Europeans might influence Maori members of the Council, and thus embarrass both the Administration and the New Zealand Government. In this respect, he shared Stout's belief that settler interference was inimical to 'good government'. He was concerned also with the wider tension between Maori and European interests. His opinion that the past twenty-two years had demonstrated the difficulty of satisfying the 'unreasonable requests of a few Europeans' seemed to contradict Waldgrave's and Carroll's view that the Administration was obliged to take European views into account and find ways of reconciling them with Maori aspirations. Whether their requests were unreasonable or not, Smith had posed a question of fundamental importance. The Protectorate had come about partly as a result of ariki and mission failure to effect such a reconciliation; and much of the trouble in the islands since then had resulted from British and New Zealand equivocation over the rightful supremacy of Maori interests. The 1913 Bill had made some concessions to this view.

In contrast to Smith, Northcroft had neither personal experience with, nor commitment to, the Federal Council. Given this, the existing transport difficulties and the Council's doubtful legal standing, he did not

74 Northcroft had accepted appointment as Resident Commissioner 'on condition that the laws relating to the administration of the islands were put on a proper footing'. NZPD, 1914, Vol. 170, p. 258 - Herdman, Minister of Justice, during his explanation of the 1914-15 legislation.

75 I/T Letterbook, 3/4, Smith to Pomare, 19 Aug. 1912. Smith maintained that the Resident Commissioner effectively represented 'adult male Europeans'.
reconvene it. In his proposals for future legislation, he suggested that the easiest way out of the problem would be to give each island power to make its own domestic laws under a system similar to that established in New Zealand by the Maori Councils Act of 1900, with appropriate modifications. In view of the powers already possessed by the Island Councils, this seemed to be no innovation at all. But there had been no provision in the Maori Councils Act for a central body and there had been few means of influencing native policy at the national level. The proposal might have held some superficial attraction to islands disaffected by Rarotongan dominance, but it clearly indicated that Northcroft envisaged that New Zealand would legislate for the Cook Islands in all but the most parochial matters. Furthermore, he accepted without question the right of the Administration to govern. His concern was to make it a more efficient instrument to effect much needed reforms.

The Cook Islands Act 1915

A statute of 660 sections, the Cook Islands Act remedied most of the defects found earlier; it determined the form of government, expanded and codified the law, and extended to the Islands the law of England as it was in 1840, together with appropriate New Zealand statutes. Part I of the Act basically codified and rationalised the structure and functions of the Administration as it had developed to that date. It provided for the administration of the islands by a Minister, a Secretary for the Cook Islands, Resident Commissioner, Deputy Resident Commissioner, Resident Agents and other officials appointed by the Governor-General. The Resident Commissioner was charged with the administration of the 'executive government of the Cook Islands' and the Resident Agents were similarly placed in respect of island government. The management of public revenue and

76 ANBR, 1914, A-3, p. 5, Northcroft to Pomare, 27 May 1914. By this date the New Zealand Maori Councils had fallen into abeyance.

77 As a Bill of 675 clauses it was first presented in September 1914, debated under protest because of its length and highly technical and far-reaching nature, and then referred to the Statutes Revision Committee and Native Affairs Committee (for the Parts 11-17 on land). By November it was apparent that only by passing the Bill with a repeal clause to allow it to be fully debated in the following year, would it become law in 1914. The Opposition would not agree to this course.
expenditure by the Resident Commissioner, as he thought fit, was also in accordance with current practice. There was provision for the establishment of public schools as the Minister deemed necessary, and authority for him to purchase a ship for the service of the Government of the Cook Islands. The Governor-General in Council was entitled also to make regulations for the peace, order and good government of the islands as he thought necessary.

It was in Part II of the Act, however, that the most significant concessions were made to a de facto administrative situation. It dealt solely with Island Councils. There was no provision for a Federal Council or other form of territorial legislature; hence the emphasis on the Resident Commissioner's executive role in Part I. Instead there was to be a 'Legislative Council', to be called the Island Council of Rarotonga, and any other councils which the Governor-General might establish. They could be abolished in the same manner. The Resident Commissioner and Agents, as before, were to be ex officio members and presidents of these councils, whose membership and regulations were to be determined by the Governor-General in Council and whose ordinances were subject to his disallowance. The councils were to meet at such times and places in each island as the president determined, but were to be called at least once a year. No business could be transacted in the absence of the president or his deputy save that of adjournment.78

A comprehensive criminal and civil code was provided. The High Court and the Land Titles Court (renamed the Native Land Court) were to be continued. In the case of the High Court jurisdiction, assessors were provided for; but in the event of the requisite number not being in agreement in any judgement, or if the judge were convinced that an accused should not be convicted, the opinion of the assessors could be ignored. There was no provision for the separation of executive and judicial authority, but appeals in both criminal and civil cases could be taken to the Supreme Court of New Zealand. With regard to land transactions, succession was to be determined by the Land Court - as was succession to ariki titles. The transfer of land by sale, will or gift (other than for Crown or public

78 It is interesting to note that whereas s. 77 of the 1915 Act said that 'no Island Council shall have any power to establish Courts of Justice', the Bill as submitted to the House in 1914 (Cl. 76) provided that an Island Council ordinance might establish 'inferior courts of justice' possessing civil or criminal jurisdiction subject to certain limitations.
purposes) was prohibited - as were leases for periods longer than 60 years.

It can therefore be seen that between the proposed 1912-13 legislation and the 1915 Act there was a retreat from the attempt to meet some Maori grievances and to reconstruct the Federal Council. Gone was any possible substance to the claim that the Cook Islands as an entity were self-governing. In New Zealand's view the existing level of Administration authority was both necessary and in the best interests of the Maoris. To have curtailed it in favour of greater Maori participation in government would have been difficult and, for political reasons, hazardous - especially in light of recent allegations of lawlessness and liquor abuse. Moreover, legislation by Parliament in the vacuum left by the Federal Council was likely to prove more efficient and less troublesome. In the final analysis, grave reservations were held about Maori capacity to manage their own affairs. PEARCE's lack of confidence on this score was greater than Stout's. In speaking to the clause of the Bill which provided for officials to be presidents of island councils, he said

Heretofore the King so-called King ..., Togia, was the President of the Council, and no European was on that Council, not even our representative down there, so honourable members can imagine the kind of laws they have in those islands. It is like asking the blind to lead the blind. 19

The Act therefore represented the final frustration of long-held and recently expressed chiefly aspirations; it entrenched the active role of the New Zealand Parliament the ariki had sought to avoid in 1906 and 1911. The Resident Commissioner now represented Maori as well as European opinion in the islands. The transition to dependence was complete.

Parliament did not object. In the 1914-15 debate in the House of Representatives, not one member - European or Maori - questioned the abolition of the Federal Council or the formal subordination of Cook Islands 'government' to New Zealand. When in Opposition before 1912, members of the party now introducing the Bill had been the most vociferous opponents of the powers of the Resident Commissioner and the colonial status of the islands. Since the former critics had been partly tamed by the responsibilities of office, and ex-government members could not, without obvious political opportunism, forsake their old positions, debate tended to veer away from the kind of consideration that was once given to
the island point of view. Many members who had taken an interest in this question were no longer in the House. The scope of discussion tended to be reduced also by the emphasis, since 1910, on managerial concerns. Pomare himself was convinced of the ineffectiveness of a Federal Council and was pre-occupied with the passage of a satisfactory and tidy measure. Lastly, the war seemed about to deliver what diplomacy had failed to acquire. Western Samoa was occupied by New Zealand troops and within New Zealand’s grasp. A prompt solution to the difficulties in the Cooks seemed all the more necessary if New Zealand were to demonstrate her efficiency and appear worthy of new Pacific acquisitions. There was a renewed outbreak of white-man’s burdenship and imperial responsibility.

Because of the complexity of the Bill there was an extraordinary confusion throughout the debate as to its real significance; heavy reliance was placed on the work of the Statutes Revision and Native Affairs Committees. When some members asked whether the islanders had been consulted, or if the Bill translated for discussions with them, Pomare tended to be evasive. Most discussion held in the islands seems to have centred on land questions. On the issue of new laws, Pomare was no more specific than Northcroft had been when he mentioned the questions raised during Pomare’s 1914 visit to the islands with the Governor. Pomare himself had not submitted the report on his visit requested by Parliament.

It was in the Legislative Council that the only debate of any substance took place. In 1901, Rigg had examined the evidence for signs of the potential of ‘coloured peoples’ for self-government. In the 1915 debate, Oliver Samuel, K.C., questioned the Government’s motives in taking self-government away from the islanders. On the basis of research into all official material and debates published on the islands he concluded that New Zealand had shown little ability in discharging her responsibilities towards them. In a long and impassioned speech he accused the Government of departing from the intention of the ‘Imperial and New Zealand authorities’ when the islands were annexed, of taking away the right and the possibility of autonomy, and of reducing the people to a state of bondage. The offensiveness of imposing laws upon a people who he thought desired and were promised

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69 Ibid., Vol. 171, p. 531. See also ibid., 1915, Vol. 172, p. 533. Pomare said that he had received comments and ‘criticisms’ from the islands but did not make clear from whom he had received them. Within the short time he was in the Cooks it is unlikely that any comprehensive discussion could have taken place at that time.
self-government, 'government from within', was of paramount importance to him - as was the denial of the right to change these laws, many of which he thought repugnant, should they prove to be unacceptable or inappropriate to changing circumstances. His other arguments against the Bill were reminiscent of opinions expressed earlier in the Legislative Council: that it gave too much power to the Governor, that the effectiveness of the Island Councils (mere skeletons') was severely limited, and that the multiplicity of duties which were concentrated in the hands of the Resident Commissioner was 'simply despotism'.

Yet there was a weakness even in Samuel's argument. Despite his conviction that the Bill did not accord either with Maori feeling or the promises made, he was influenced by the doubts repeatedly expressed in his sources about the capacity of Maoris to govern themselves. He therefore proposed that the Bill go back to Cabinet for closer examination in the hope that some alternative could be worked out - one short of complete self-government on the one hand, or 'bondage' on the other.

Samuel also reminded Ministers of their former opposition to acquiring Pacific territory and their recognition of the 'unsuitability of the Government of New Zealand as a governing body for the Cook Group'. New Zealand's deficiencies, he believed, provided sufficient reason for not intervening in Samoa. Thrusting aside his arguments as irrelevant, the Leader of the Council, Sir Francis Dillon Bell, pointed out that the New Zealand tribes had once 'governed themselves', but when the settlers came 'we found it necessary to legislate for them and we legislate for them today'. When Samuel interjected that whites were a minority in the Cook Islands, Bell said that he did not follow the objection and had no sympathy with men who cried 'taihoa' when the business of the day was before them. 'Who are we

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81 ibid., 1915, Vol. 174 (L.C.), p. 163. See also Jones, p. 184: 'This Bill in fact is Germanism, undisguised Germanism'. Samuel was chairman of the Statutes Revision Committee in the Legislative Council. Bell, Leader of the Council, took issue with him and members of the Committee for calling the principle of the Bill into question after the Committee had recommended that it should be allowed to proceed with the amendments requested. The Bill did not come before the Legislative Council in 1914.

82 ibid., p. 175.
Englishmen that we should refuse to take up our share of the white man's duty in the Pacific? 63

Apart from the question of Samoa and the war, leprosy, syphilis, bush-beer and white factionalism, not to mention the personal traumas of politicians, were in good measure responsible for the final loss of the shadow of self-government. The Cook Islands were not helped by the fact that occasional supporters of their 'rights' were either pretentious and unparalleled parliamentary bores like Glover; or 'reasonable men' with humility enough not to be convinced that they had the right answers - but without the carry-over of the imagination or the conviction that had launched the Liberals into social experimentation. Neither the energy that had characterised the early days of the Liberals, nor the aspirations for their people that had launched the careers of many Maori politicians, had provided stimulus or understanding. Benevolent conservatives like Samuel, and paternalistic radicals like Rigg, were not in the end prepared to embarrass the government and halt the passage of legislation. The field had therefore been left open to those who relied on second-hand information through white officials and settlers, to those who did not care, and to those who had their own firmly based convictions on what was good for 'natives'.

In March 1919, Rarotongan ex-servicemen rioted in Avarua, smashing and looting stores, as a result of general frustration and long-held grievances against European traders. Pomare made a brief visit to the islands with the departing Governor-General in June. He was followed in 1920 by a Parliamentary party led by Sir James Allen, Minister of External Affairs, on its way to Western Samoa. A three-man Commission inquiring into Pacific trade accompanied the party.

The islands had been particularly hard hit during the War. At a time of rising food prices (meat was 3/- a tin), Maoris had received 1/- a case for fruit - the lowest price ever. When they could get no more than 2/6d a case from traders in 1919, resentment increased and Maoris formed their own 'ring' against the trader combine. They were strengthened by the returned servicemen. However, when they attempted to export, the traders cut off their supply of fruit cases and refused shipping space over which there was a trader monopoly. The Maori growers appealed to the Resident Commissioner, F.W. Platts, who supplied them with cases. They soon secured 10/- a case, rising to over 21. In reporting on these developments, Platts wrote, 'The islanders themselves are the real wealth of the Islands. To promote their general welfare, their health, their education, as well as their material prosperity, is the task of the Administration.

In their meetings with Allen, the ariki protested at exploitation by the traders and the agitation by Europeans generally for representation on the Island Council:

We told the Governor-General that we would not agree to this idea, and the suggestion was not to be approved of - never. Therefore we repeat the same to you so that you may be clear: we will absolutely never consent to any European getting into our Council. We own all the land here, and the Europeans are strangers living on the land, working for their own benefit. They will not work for our benefit.3

2 ibid., pp. 2-3.
In addition the chiefs strongly objected to the destruction of their mana through the Land Court and asked that the 'mana of the Arikis and the Mataiapos ... be returned to them'. The official minutes reported a spokesman for the ariki as saying that 'Originally the islanders had asked that their island should be joined with the British Empire, but they had heard that New Zealand asked that they be included in her boundaries. That was how they became attached to New Zealand, and they believed New Zealand had taken away their mana'.

In his reply Allen said that the Parliament of New Zealand would like to maintain the mana of the chiefs - that is, 'their control over the tribes'. But he admitted that it would be impossible to remedy what had been done; that individualization of land titles had gone too far to be reversed. One could only suggest, he said, that the memory of their past history and the influence they had once possessed should be kept alive among the chiefs and the people.

Speaking on European representation and self-government, Allen pointed out that at annexation provision had been made for 'Native local government' to be maintained. 'We did not break our word,' he said. However, in view of the continued bitterness between Maoris and Europeans, Allen persuaded the chiefs to make some concessions to promote peace. In return for a promise that European residents would also be subject to the territory's liquor and immorality laws, they agreed to one European representative on the Council. In addition, they asked that all laws be translated into Maori and that the Island Council be given the right to review Bills before their submission to Parliament.

Though European representation and prohibition were provided for in legislation in 1921, Europeans were still able to obtain liquor for 'medicinal purposes'. Allen's other undertakings concerning translation

4 ibid., p. 3.
5 ibid., p. 4.
6 ibid., p. 6.
7 ibid., p. 19. Further meeting with Island Council - Petition presented by 5 ariki, 13 Mataiapo and 7 rangatira.
of law and the review of Bills were not honoured. 8

The traders had accused Platts of abuse of his authority - not only by misrepresenting their position, but on the grounds that by encouraging the Maori Fruitgrowers' Association and supplying cases to growers, he had interfered with trade. But the chiefs, asserting that the people had never known such prosperity under any other Resident Commissioner, petitioned for his retention. In the face of trader demands for a Royal Commission, the Government replaced Platts in 1921.

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8 The Cook Islands Act 1915 (s. 64) had empowered the Governor-General to provide for elective membership of the Island Council by regulations. This power was widened to include European representation in s. 3 of the Cook Islands Amendment Act 1921. In the event, such regulations were never made and it was not until 1946, when the Councils were reconstituted, that Europeans gained a representative.
PART IV

ASPECTS OF NEW ZEALAND COLONIALISM
The One Model

By 1900 New Zealand already prided herself on two major achievements: the evolution of a society whose egalitarian and humanitarian aspects had attracted world-wide attention; and the state of her race relations.

It does not, therefore, appear as ironic as it might otherwise do that the leaders of a government which had emerged from the chaos and despair of the 1880s to give a new shape and direction to society should have pursued a policy of domination in the Pacific with such single-mindedness. Settlers believed that New Zealand Maori policy had, overall, been benign and enlightened and that Maoris had been treated with a generosity unparalleled in the history of modern colonialism. The racial-affinity arguments which New Zealand politicians had used to advance their separate ambitions in the Pacific were later reinforced (particularly after 1883 when it was British policy to 'neutralise' the islands and strengthen islands autonomy) by New Zealand claims that her own experience with Maoris would have positive benefits for other Polynesians. That could otherwise be regarded as a ploy to weasel territory out of Britain possessed for many Europeans real substance.

The interpretation was of course a Eurocentric one. Britain, for example, had taken the racial-affinity argument seriously but was less impressed with New Zealand's domestic 'native policy'. The New Zealand Liberals, however, clearly regarded themselves as bringing a new era to Maori-European relations. In 1891, they had deplored the excesses brought about by private trading in land and by the operations of the Land Court. They saw the 1900 legislation as a realisation of Maori aspirations and as a means of reconciling the interests of the two races. There were plans for upgrading Maori education and health. In addition, within the Ministry and ranks of the party there were highly talented Maoris through whose efforts Maori aspirations had been brought within the existing political and legal framework.

*NZPD 1901, Vol. 119, p.1078, John Rigg (L.C.)
From the Maori point of view the benefits of Liberal policies were less clear. The difference between what the Maoris wanted and what they got was striking. Though the Liberals reinstated the policy of Crown pre-emption they were committed to a greater rate of land purchase than had obtained before. The decrease in the rate of alienation brought about by Maori attempts to use the 1900 legislation in their own interests, invited the anger and antagonism of the Opposition and the press. The resulting legislation of 1905 and 1909 attested to the strength of the settler lobby and dashed Maori hopes of disinterested legislation and of their retaining control over land. It established a compulsory principle dangerously close to confiscation. The Land Court not only assumed greater importance as a 'Maori institution' with the abolition of the Native Department and the Resident Magistrate system, but gained additional powers in the matter of wills and adoptions. Maoris were also subject to heavy rates on land and the continued pettiness of the dog tax. The health programme became less effective under the control of the Health Department from 1906 and as a result of austerity measures in 1911. Education, though improved, was European directed and value-centred. Maori attempts at self-help were made difficult by a rigidity of outlook on the part of European and Maori authorities and by a whole range of disabilities deriving from Maori suspicion of, and inability to utilise, European systems of control.

Apart from these practical disadvantages, Maoris were in a very real sense worse off under the Liberals because, contrary to their expectations, there was increasing distance between European gains and their own deprivation. The object of Carroll's and Ngata's struggle was to win concessions for Maoris in matters that Europeans took for granted. Their failure to do so on any significant scale was a serious indictment of the amalgamationist point of view. The humanitarian aims of the Liberals were mostly for white consumption and Maoris remained only marginally within the society. In the final analysis, a regard Maori rights could not be permitted to retard an intelligent programme.

1 See Alan Ward, 'Towards One New Zealand', pp. 469-11.
of settlement'. The amalgamationist policy continued to be too closely dictated by settler interests for its wider humanitarian aims to be fulfilled.

New Zealand's ideals could not therefore apply fully either at home, where settler interests predominated, or abroad, where national interests were paramount and had to be justified. Cook Islands Maoris benefitted not at all from Liberal attitudes - except in the refusal of Parliament to acquire land compulsorily. The situation was complicated by the deception necessary to satisfy Colonial Office requirements and what New Zealand believed to be the best way of serving her economic interests. Whereas, in New Zealand, the Government's 1900 legislation was partly undermined by its inability to withstand mounting political pressure, in the islands, Gudgeon's task from the outset was to subvert the existing autonomy. From the turn of the century the experience of islands and New Zealand Maoris ran parallel courses towards the frustration of their ambitions. There was no opportunity to take stock until 1909 when James Carroll held both portfolios. No changes were made.

The advent of the Reform Party to power in 1912 put the final touches to the legislative and administrative edifices begun earlier. The Cook Islands 'problem' was solved by a comprehensive measure which was to survive the outbreaks of discontent after the First World War and, with some modifications, a nationalist challenge in the 1940s. In New Zealand the 1913 Land Administration Act virtually served up Maori leases to enterprising freeholders with whom Maoris could not compete. The 'dominant factor' idea expressed by the squatter, Captain Russell, in 1901 had been established in the Cook Islands and maintained in New Zealand, while the Native Minister, Harries, proclaimed once again the 'one law, one people' theme which served to underline it.

New Zealand learned little from her experience with Maoris that was of value to the Cook Islands. What she learned and transferred by

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2 Williams, Politics of the New Zealand Maori, p. 148 quoting from the New Zealand Times, 16 July 1909
3 Ward, 'Towards One New Zealand', p. 477
4 The Dominion (Wellington), 21 Feb. 1913: "In the same canoe" - report of a speech by Harries at Wanganui.
way of officials, legislation and institutions was often in the worst traditions of her frontier past.

The 'fitness to govern' claim: the second stage

But this was not the way that New Zealand politicians, some scholars and prominent Maori leaders interpreted either the New Zealand or Cook Islands experience. 5

The racial arguments used by New Zealand in support of territorial expansion have been documented by Professor Angus Ross. Some of these have already been mentioned. Later claims were no less dependent on a Eurocentic and colonialist view of New Zealand's policies at home and in the Cook Islands. Ross's own viewpoint, briefly outlined below, demonstrated this. It was not his main purpose to examine the administration of the islands in any detail. Nevertheless, he provided an affirmative answer to the question 'did New Zealand experience in governing and developing the Maoris prove to be as valuable as the politicians prophesied it would be? Though he recognised that the racial argument was used for propaganda purposes, he maintained that it was not without its 'commonsense aspect'. 6

Ross stated that at a time when there were no schools of colonial administration nor courses in anthropology, 'training in the school of experience was considered to be the best available'. He cited Colonel Gudgeon as a good example. Gudgeon's knowledge of the Maori language, customs, etiquette and psychology enabled him to build up his mana while introducing 'helpful innovations'. His 'success as an administrator during his eleven years in the Cook Islands was thus partly due to the training he had received in New Zealand before going to the islands'. He had been hampered by lack of competent staff, but with the rise in population, improved health standards and the institution of several useful public works, 'New Zealand's record in the Cook Islands in the early part of this century appeared to be a reasonably good one'. In Ross's opinion, this success was also attributable to the role played by Carroll, Pomare and Ngata - the 'directors of policy' who were not

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5 See for example, Sir Walter L. Buller, F.R.S., quoted in Ross 'Maori and Polynesian: Race and Politics', p.266; and Ward, 'Towards One New Zealand', p.468.

6 Ross, 'Maori and Polynesian', p.228
only outstanding Maori leaders but were Ministers of Native Affairs in New Zealand. On this basis, together with what Ngata said later, Ross concluded that 'New Zealand experience in governing the Maori people at home was therefore not without value when it came to the administration of the Cook Islands'. Moreover, it was to this creditable record in the discharge of her administrative responsibilities that Ross attributed the granting to New Zealand, under mandate, of Western Samoa in 1919.

It is inconceivable that Ross would have formulated the argument in quite these terms and without closer examination were it not for the approbation that Maori leaders themselves gave it. During the 1900 annexation debate, Hone Heke had favoured the closer union of island Maoris with New Zealand for 'sentimental reasons' while at the same time warning against the importation of the Land Court. In 1903, C.W. Parata had referred to generous Anglo-Saxon attitudes towards 'dark-skinned races'.

In 1911, Te Rangi Hiroa pursued this theme as part of his defence of government policy in the Cook Islands and as an argument for closer association between New Zealand and Tonga. In 1919, a year after the

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7 op. cit., pp. 228-9. In fact Pomare was never Native Minister. Carroll was from 1906 to 1912 and Ngata from 1928 to 1935. Prior to 1906 and from 1912-28, the portfolio was held by European Ministers. Although the Cook Islands portfolio was held by Maori Ministers from 1909 to 1935, it was held simultaneously with Native Affairs only in 1909-12 (Carroll) and 1928-35 (Ngata). See New Zealand Parliamentary Record 1840-1949, Wellington, 1950, pp. 41-48.

8 Ross, 'Maori and Polynesian', p.229. Ross quotes Massey as saying during the 1919 debate that the racial homogeneity of the Samoans and New Zealand Maoris was considered by the 'Council of Ten' to be 'one of the strongest arguments ... for what I was advocating - the placing of Samoa under New Zealand control by way of mandate...' pp.229-30.

9 NZPD, 1903, Vol. 125, p.780.

10 ibid., 1911, Vol. 154, p.792. He said: 'I consider that New Zealand because of her experience of half a century with the most enlightened division of the Polynesians, is pre-eminently fitted for taking under her protection and helping on other branches of the Polynesians; and as a Polynesian, I would be glad to see at some time in the future all the various Polynesian islands, whenever possible, brought under one influence, and that influence should emanate from New Zealand.'
soldiers' riots in Rarotonga, Ngata is said to have been speaking for 'his people' in the debate on the Treaties of Peace Bill and the acquisition of Western Samoa when he declared:

> It seems to me now that the Maoris of New Zealand and the Polynesians of the Pacific are coming into their own...
New Zealand is the country best equipped for the management of Polynesian affairs, because it is the only British country that has had experience in the administration of Polynesian races...

Although we have had little differences about native land, in nearly eighty years no country has the proud record that this country has in connection with the most active of the native races inhabiting Polynesia. Sir, the experience of New Zealand with the Maori race should encourage the British people to extend that experience to other portions of the Pacific... Our experience ought to make us extremely proud that this portion of the Polynesian race has been added, together with the Rarotongans, the Niue islanders, and the Aitutakian Maoris, to their brothers and cousins here in New Zealand.

Ngata was both to refine and to extend this argument. In 1923, when he was about to assume the position of Native Minister and Minister for the Cook Islands, he said:

> Under no other rule has it been possible to stage such a drama as had been unfolded in New Zealand - the deliberate lifting of a people of lower culture to full equality in political, social and moral communion with one of the most advanced races in the world.

This success justified the 'expectation' that New Zealand had thoroughly mastered the art of governing Polynesians. 12

Ngata claimed that the Cook Islands experience reinforced his further arguments. Convinced of the advantages to be conferred upon other Polynesians through association with New Zealand, he thought in terms of civilised guidance and development rather than colonialism; of cultural identity rather than self-determination. Brown imperialism - or pan-Polynesian sentiment - thus complimented white imperialism in its twentieth century upsurge. It thereby strengthened previous attitudes and appeared to substantiate with uncanny precision the prophecies of Grey and Vogel that Maoris themselves would play a major role in the extension of New Zealand influence. 13

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12 Ngata, op. cit., p.12
13 The answers which Maori leaders supplied as reasons for their own high status are important and are discussed later.
Ngata argued that, in contrast with New Zealand, it had 'never been seriously contended' that the islands were suitable for European settlement; the policy of the Government had therefore been virtually 'Rarotonga for the Rarotongans'. Furthermore, the New Zealand experience had been beneficially applied 'in all departments to Cook Island conditions without difficulty'. This process had been assisted by the fact that the Cook Islands administrations had been 'more or less associated with the Native Department' and that its official head had been almost without a break, a 'politician with expert knowledge of Native Affairs' in New Zealand.\(^14\) Ngata maintained also that Carroll's taiao policy, administered sympathetically,

meant that every element in the immigrant European culture, which, by its substitution for the pre-existing usage, fitted the Rarotongan better to live in a world where modern science had brought him into touch with other races and other ideas, was introduced in ordered sequence and to the extent that the Rarotongan was ready to receive and benefit by it.

There was thus 'no upheaval, no violent unmooring from the old beliefs and sanctions'. The policy was to continue a 'steady pressure' in all directions so that each succeeding generation of Cook Islanders might be influenced to advance gradually from one culture to another, or to a blending of elements of the old and the new.\(^15\)

Ngata's case, which was presumably the basis for his own policy as Minister of the Cook Islands, displays serious weaknesses of fact and understanding. There is evident also the curious apolitical quality which characterised much of his earlier thinking. Many of his sentiments conflict with those he had expressed in 1911 when drawing attention to what he regarded as intolerable aspects of New Zealand policy in the islands. This view had stemmed partly from his irritation with the attitudes expressed by the Opposition and its leader, Massey. However, the 1911 speech showed as clearly as his later writing that he was not conversant in any detail with Cook Islands affairs, history or even geography. Moreover, a long-term view, on the eve of office, had given events an unwarranted coherence. He had forgotten Gudgeon's despatches and the institutional paraphernalia he had deplored. He had never

\(^14\) This is the basis of Ross's error. Hills and McGowan had no such knowledge.

\(^15\) Ngata, op.cit., pp.12-13
seriously examined the claims he made on behalf of New Zealand in the islands. He had in fact overdrawn some of them out of pique at the creation of a separate Ministry of External Affairs to deal with Samoa. This was illustrated by his contention, when criticising New Zealand handling of the Samoans, that actual damage had been done by moving away from the previous experience that had justified the mandate. New Zealand, he said, had thereby failed to adapt its own Cook Islands experience when it discontinued the practice of working through a Maori Minister and officials with a background of Maori knowledge. She had thus failed to probe adequately the receptivity of the Samoan mind; to appreciate the social structure, land tenure customs and the status and position of the hereditary chiefs; or to allow sufficient time to learn from the Samoans themselves before 'launching at them' those reforms which were thought to be for their benefit.

No such policy or dignified permissiveness had ever been evident in the Cook Islands with the Islanders themselves in mind. Gudgeon had used such a technique to determine the coercion-threshold of the islanders and underwrite policies aimed at the destruction of important institutions. There had been no educational system fitting the islander to benefit from, or appreciate the results of, modern science. There had been no participation in his own institutions. Ngata was a Member of Parliament when legislation altering the position of the hereditary chiefs was passed, when attempts to change the land-tenure system were made, and when ariki complaints were laid before it in 1911.

He also placed too much stress on the role of Carroll and the application of the taifaoa policy: this was in fact applied in the worst sense of laissez-faire. Though Ngata was an outstanding tribal leader and a superb politician in those areas of most direct interest to him, his whole appreciation of Cook Islands experience, upon which his case rested, was defective. His assumptions may have facilitated in New Zealand the growth of a healing myth which encouraged self-conscious attitudes to race relations and Maori administration, but they were simply not true of the Cook Islands.

16 ibid., p.13. Nevertheless, Ngata did not favour Te Rangi Hiroa's suggestion that Pomare be appointed to administer Samoa. See Condliffe, op.cit., p.159.
Similarly, the idea that Gudgeon's knowledge of Maoris made him an asset in the islands was dependent upon the question—never examined by its proponents—of whose interests this knowledge was to serve. Gudgeon himself was in no doubt about this. In default of an examination of events in terms of Cook Islands values and desires and of New Zealand's implicit promises, Ngata and Professor Ross alike accepted the validity of New Zealand policies and Gudgeon's role in the islands. Neither took adequate account of his background and temperament, for which Seddon had chosen him, or of attitudes which had been inimical to the kind of gradualism Ngata emphasised.

It is extremely difficult to find any substance for the claims that Cook Islanders benefited from the administration of Maori Ministers—except insofar as Carroll's attitudes may have marginally influenced Mills. The basis of the administration had been laid well before any of them assumed responsibility for the islands. Carroll never visited them. Despite signs of unrest and later complaints he had been unwilling to make any changes. In 1910, shortly after entering Parliament, Te Rangi Hiroa worked in the Cooks as a relieving medical officer and also carried out some ethnographical research there. At a time when his insights might have been of assistance he was an apologist for government policy and then followed established practice in his short term as Minister. Pomare, who had visited the islands in 1906, and was to do so again as Minister in 1914, came new to office at a vital period. His conservative policy was shaped both by party political considerations and his own attitude towards the future of the Maori in New Zealand. None of the Maori Ministers or Members took more than a passing interest in Cook Islands affairs or legislation, even when Bills went before the Native Affairs Committee of the House.

The Ministers' reluctance to innovate was due very largely to the same factors that had influenced their political behaviour in New Zealand. Domestic political pressure apart, they accepted the direction of change in the Cooks—which no doubt appeared to them to have been less disruptive than in New Zealand. They transferred attitudes formulated within an amalgamationist philosophy to a situation where it was inappropriate because the population was almost wholly Maori. The weakness of the taiaoia policy in New Zealand—that it played down
political aspirations and participation — was all the more obvious in
the islands where, contrary to Ngata's assertion, it was applied without
prior study or modification. The effect was to perpetuate the results
of a massive attack on indigenous leadership, despite unrest and complaints. 17

Whatever thoughts Carroll may have had about the early Cook Islands
negotiations and legislation, he never revealed them to Parliament. He
showed no more inclination to redress the balance in favour of Maori
control of, or greater participation in, their institutions in 1909 than
Pomare did in 1912-14. Pomare felt it necessary to continue the old
self-sufficient policy at a time when the Cooks were in a disadvantaged
economic and financial position. Vague long-term ideas of 'tutelage',
without Maori involvement, were uncritically accepted — a situation that
none of the New Zealand Maori leaders would have willingly accepted for
their own people. What in New Zealand could be regarded as in some
respects a 'conservative' approach in the true sense of the word, became
in the Cook Islands a reactionary one: a museum-piece anthropological
ideology, government without politics.

Pomare's courageous and sensitive response to the Samoan situation
in 1927 was markedly different from the attitude which had infused his
administration of the Cook Islands and his interpretation of islands
aspirations from 1911. This may have been partly a matter of timing;
it certainly had something to do with the way in which Maori leaders
viewed the Cook Islanders. In speaking against the emergency legislation
for Samoa being forced through Parliament by his own Government, Pomare
said:

What I would do would be to woo the Samoans in such a way that
when the time comes for them to choose they will throw in their
lot with the British Empire. The Maoris and the Samoans are
closely united; they are the same people; and I think that
mentally they have been endowed by the Creator with the same
capacity. Let us raise the standard and give the Samoan a little
more responsibility in the government of himself...

During the imprisonment of Tamasese in Auckland, Pomare had visited him.
He subsequently wrote:

17 See Ngata's comments of the effect on Maori society in New Zealand
following the loss of the old time sanctions and the erosion of
chiefly prestige. Ibid., pp.5-6. See also Gilson, 'Administration
of the Cook Islands (Rarotonga), pp. 289-290.
Today I saw Tamasese in prison. I greeted him in his own tongue. We sat and talked of many things... I looked into the countenance of a Tam, an Ariki, a Prince indeed – the lineal descendant of Kings whose genealogical lines reach back into the twilight of fable, and yet withal, I looked and saw the face of a martyr, a patriot. He has given his all in the cause of his people – the emancipation of his race.

I asked myself this question: "What have we done?" In our blind, blundering, party-wrangling and political humbugging, we put this man in gaol. That is what we have done. This man was deprived of liberty, hereditary titles, degraded and deported. Yet those very titles will continue till the last drop of Tamasese's blood ceases to flow.

Degradation? An honour.
Deportation? A privilege.
Imprisonment? A crown of glory.
And so we have made it.
Be strong in heart, Tamasese.

Cook Islands Response to New Zealand Rule

It could be argued that the Cook Islanders might have gained some respite and certainly, greater moral backing from New Zealand Maoris and some Europeans if they had resorted to armed resistance. As it was, the admiration and respect shown by Pomare for the toa, the fighter, contrasts with the attitude of Maori leaders and others to the islanders who seemed to them to have lost the virility and strength of the warrior tradition.

There is a paradox in these attitudes for none of the people who held them – Ngata, Te Rangi Hiroa, Gudgeon and McGowan – would have tolerated resistance. The fact that the islanders did not resort to force or prolonged and organised protest enabled Gudgeon to pursue his objectives and gave credence to policies that were supposedly in the interests of the majority. It also strengthened the position of the Maori ministers as virtual spokesmen for the Cook Islands from 1909. Yet Gudgeon and McGowan cast aspersions on the islanders for their lack of response to European incentives. Gudgeon himself placed much importance on warfare as a measure of moral stature and the virility of a race but saw little of this in the missionary-tamed islanders. Ngata, who had led

18 RP, 188, 'Sir Maui Pomare, the Apostle of Health' (Broadcast), n.d., pp. 5-6.
his own people away from confrontation to co-operation with the State, also emphasised the fighting traditions of the Maori as a means of fostering racial price. In 1911, referring to the clash of values being experienced in the islands, he expressed the belief that the chief factor operating against Rarotongan success in 'withstanding the intruders' (that is, settlers not officials), was the climate which robbed the islanders of their vigour. Various Parliamentarians had also formed an impression of the islanders as a charming, gentle and inoffensive people who would be better served by a kind-hearted missionary than a government official.

There is little doubt about the fierceness of the past fighting traditions of the islanders. It is difficult to establish why the ariki did not take a more positive stand as many Maori leaders had done in New Zealand. Only some of the chiefly reactions to events after annexation are documented. However, it seems apparent from their delayed response that the chiefs were at first only dimly aware that they were the objects of Gudgeon's animus. It is not possible to assess at what stage they perceived this and how, when they did, the politics of their response were worked out - particularly as Gudgeon was adept at exploiting the divisions among them. They had endeavoured to please Britain by meeting the 1898 demands made of them but gradually perceived that the Governor and the New Zealand Government were displeased with them. In many cases they seemed unable to understand what was required of them; when they understood, they could not reconcile this with their own interests and traditional obligations. As the older ariki were replaced it also became more difficult to keep alive the range of motives that had once inspired the aging Mekes.

19 Ngata was one of the prime movers in recruiting Maoris during the 1914-18 war, not only for patriotic reasons, but to revive pride in Maori fighting traditions. The Cook Islands also sent a contingent.

20 NZPD, 1911, Vol. 154, p. 730. By contrast, Ngata said that the New Zealand Maori was 'a more active man, a more vigorous man, a more energetic man than the Rarotongan of today'.

21 See the works of W.W. Gill. What was true of the Mangaians was also true of the Rarotongans and the Atiua.
Some weight must be given to the Christianising process which discouraged force as a means of settling disputes and inculcated a respect for British authority. However, in 1898 Moss was by no means sure of a peaceful solution to the troubles. The ariki were disarmed because they placed too much trust in men with 'superior' knowledge. They were no strangers to the power of the British or to displays of superior force by other nations. They were aware also that other Polynesians had paid dearly for their resistance in circumstances more favourable than their own. The absence of firearms (and a tradition of using them), the smallness of the islands and the certainty of reprisal would have been inhibiting factors should the idea of opposition arisen.

These factors do not in themselves explain the lack of a more positive response on the part of the ariki. The hierarchical nature of the authority structure headed by the ariki was no less an aid to Gudgeon than it had been to the missionaries who preceded him. The increasing desire of the paramount chief for personal power and prestige enabled Gudgeon to woo them in the first place. The perpetuation of hereditary jealousies, together with the alienation of sections of the lesser chiefs resulting from the determined ambition of the ariki, helped him to divide, manipulate and finally discredit them. The smallness of the islands and the ease of face to face communications further helped him. In these circumstances, it was at first difficult and then almost too late for the ariki to unite when they were collectively threatened. Moreover, it was those leaders most exposed to Western commercial influence and geographically advantaged by ports who took the leading part in negotiations with European authorities. Similarly, Rarotonga as the main centre of exposure and the seat of government, remained more amenable than, say, the Mangaians, Atiuans and Rakahangans.

The chiefs appeared to nurture their grievances until an acceptable opportunity arose to air them. This was partly because, once Gudgeon had established himself in an executive position, the ariki were largely deprived of alternative advice and outlets. Whereas both missionaries and other Europeans had played upon ariki unease in 1897-98, the missionaries were themselves now under attack and divided. Even those with misgivings were not willing to openly counsel the chiefs to act against Gudgeon. The ariki were also unable to use beach expertise as George I and II of Tonga had done. Europeans who might have been of
use had either been effectively isolated by Gudgeon or were suspected of commercial and political ambitions. In any case, few were interested in the maintenance of chiefly authority; no single ariki was in a position to dispense the kind of patronage that might have attracted the exclusive loyalty of Europeans.22

The one mistake that Gudgeon could have made - and which Parliament avoided - was the virtual seizure of the land. Had the ariki been overruled in 1906 or had the Government acted with force to secure the implementation of the settlement and economic policies, it is possible that this would have provided the unifying element and impetus to action as it had done in New Zealand. While it is improbable that the Rarotongans would have resorted to armed resistance they might have made much stronger representations to Parliament and forced the recall of Gudgeon.

In the event, the ariki found, as the New Zealand Maoris had done, that Christian values were not recognised in the market place of commerce or power; statesmanship served them no better. They developed techniques of passive resistance and at times a seeming conformity to the 'realities of power' by passing legislation which they had no intention of heeding. The chiefs seemed to hope that the position would change especially after Gudgeon left the islands in 1909 and there were Maoris as Ministers. When change for the better did not occur they became more forthright in their criticism. They turned to political tactics used by the settlers; they lobbied parliamentarians for support against unwelcome pressures from Europeans in the islands and increasing New Zealand dominance.

22 For a range of settler opinion and ambitions as at 1900, see NZH, 1 June 1900. This situation differed from that in Tonga, where, with the assistance of a European, George Tupou II reminded the British: '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 so 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'. George Tupou II to May, 7 Sept. 1911, quoted in Scarr, op.cit., p. 114.
New Zealand's Performance in the Islands

Ngata assumed for his own particular purposes that New Zealand's administration of the Cook Islands was admirably suited to the raising of islanders to advanced levels of civilization. Later evaluations have been based on the realisation of the difficulties—and the partial failure—of New Zealand's attempts as a colonial power both to meet the needs of the people under her control and to supply the amenities which her own standards and the raised expectations of the people demanded of her. It has been said that New Zealand was confronted for the first forty years of her administration with the difficulty of stabilizing government and working out a policy for a scattered group of islands with specific problems for which there were no easy answers. In 1945 all the old problems—some apparent from 1898, others from 1901-1915—were still evident in an era of change.

Education, health services, and the development of adequate legislative and administrative control among people totally unused either to these services or to the demands they were designed to meet, present a complex mass of difficulties capable of solution only by cautious and tactful policies and administrators. Nor is it clear that there is a solution compatible with what have been regarded as important European economic interests, while any solution must involve painful processes of change and adjustment.

In that self-government was taken away and the authority structure of the islands altered for economic and commercial advantage, New Zealand's approach was not significantly different from current colonial practice elsewhere. The problems that arose are inherent in any colonial situation. They are everywhere difficult of solution—the more so since, with few exceptions, colonialism was, and is, unacceptable to the colonised and in many cases is ultimately an expensive method of acquiring resources and prestige.

Wilson stresses two other factors: firstly, that New Zealand's record should be judged by the colonial standards of the time; and,


secondly, during the early years of the period, 'New Zealand was a young country which was still a British self-governing colony'. There are two assumptions here — the inevitability of a colonial destiny for the Cook Islands and that New Zealand's being a young country was a disadvantage. The chief objections to these arguments is that they ignore the standards and ideals New Zealand set herself. They also ignore the options that were open to her and the kind of politics (in which the Maori point of view was a vital factor) to which she resorted to gain the islands and then to exploit them.

This is not to deny that the colonial mentality was not highly developed in New Zealand, but her youth and dependence had been a potentially useful factor in a new approach to the expansion of her influence. She thought she had found a way round both difficulties in the idea of Pacific federation. But the social experimentation that went with youth, a reaction against an old order, and the desire to become self-governing were not extended to Maoris. The desire for land on the one hand — territory, wealth and prestige on the other, precluded her from approaching the business of government or partnership on the basis of her best ideals. That these ideals did not work to the advantage of Maori citizens says something not only about colonialism, but just as much about a specifically New Zealand experience; a failure of the imagination and the loss of possibilities that were within a hand's grasp. In choosing one set of options on the basis of economic expediency, Seddon pre-empted others which might have had some long-term benefits. The example of Tonga, the guarantees of Balance, the idea implicit in Pacific federation as it was developed by Moss, and the suggestions and reservations debated in Parliament were ignored.

The validity of these options depends on the question of whether or not the Cook Islands could have remained a viable self-governing entity. It may be said, without under-estimating the difficulties, that the main obstacle to Maori government both under the Protectorate and after annexation was not primarily the weaknesses within Maori society or even the fragility of the imposed institutions, but the disposition of both Britain and New Zealand to demand the observance of standards and values that were both inappropriate and unnecessary.

25 ibid., p.54
Maori government would certainly not have met European standards of 'good' or efficient government. But there is little doubt that autonomy would have worked had Britain been content to allow the government to reflect Maori values and aspirations and had she continued to insist that settlers obey island laws and respect island customs. Settlers could then have made their own choice of whether to remain as it became clear that they would receive no special treatment. New Zealand could have gained the economic advantages she desired without touching government or ariki leadership had she been content to follow Ballance's recommendations of 1885 and supplied technical aid and guaranteed protection to the fruit trade. The assistance of an adviser or representative committed to building up a strong native policy - say in terms of Sir Arthur Gordon's instructions to Maudslay in Tonga - could have produced a viable, if authoritarian regime. Given the changes already made, the islanders would have continued to need such assistance, not because they were incapable of governing themselves, but because further consolidation and development of the new institutions were needed. After the 1893 'wigging' by the British and the increasing disposition of the chiefs to win the approval of British authorities, the chances for internal stability were greater, though the problem of Europeans remained. It is possible that Seddon feared that this might prolong the Protectorate, hence his desire for Gudgeon to effect annexation quickly.

Notwithstanding some of the constitutional arguments advanced against such a loose association with New Zealand, there was potential support for this course; there would probably have been no more criticism than the Government attracted for the alternative it eventually adopted. British and New Zealand compulsion to interfere cost the Cook Islands their autonomy and self-regard and gained New Zealand nothing but a non-viable colony. Given the disabilities from which it suffered the record of the Protectorate was by no means a poor one and was superior in many respects to that of the period which followed.

Maudslay was instructed to 'give all possible support to a weak and new Government of so peculiar a character and so well deserving of encouragement and assistance'. He was warned not to 'obtrude advice upon the King and his Ministers' but to proffer it if sought. Scarr, op.cit., pp.92-3. See, however, R.P. Gilson, 'Administration of the Cook Islands', p.137, for the financial and other difficulties from which he considered the protectorate suffered.
But New Zealand's requirements, and Gudgeon's ideas as to how they should be met, precluded the possibility of prolonging the Protectorate experiment or of developing the kind of association advanced by Moss. As has been shown, Gudgeon could not tolerate the deficiencies and excesses of the traditional rulers or the threat they posed to his reforms. Nor could he work through the existing avenues of entrepreneurship - not only for the reason they were organised by the chiefs largely in their own interests, but because of their discrimination against white traders. Gudgeon's objection to the growth of ariki power in the Cooks, and what he saw as the determination of the ariki to protect their privileges, led to his attack upon their authority and the growth of a centralised administration typical of what Moss referred to as the 'Romanic' or French model. 27

Though Gudgeon underestimated the resistance of Parliament to his land reforms, he had little trouble in convincing Mills and McGowan, and ultimately Parliament, of the selfishness of the ariki. New Zealand's interests aside, there was for many Parliamentarians, a genuine dilemma between the alternatives of maintaining the integrity of the island polity as represented by and embodied in ariki authority, and in modifying this in the interests of the commoners whose rights and needs were conveyed by Gudgeon. Given a picture of conflicting interests, greedy chiefs, waste land, deprived people, there was an overwhelming temptation to allow New Zealand's interests to predominate. By the time Gudgeon left the islands in 1909, the basis of the colonial administration foreshadowed in the 1901 Act had been firmly laid and further embellished. Gudgeon is an example of the 'strong man' influencing policy on the basis of his own ideas and ambitions in the absence of any policy or alternatives from government.

Gudgeon differed from Sir Arthur Gordon in the emphasis he put on chiefly prerogatives and in the place he assigned to Maoris in the government of their own land. He was like Gordon in his impatience of

restraint and enjoyment of prestige but he lacked Gordon's respect for
the people in his charge. Unlike Baker of Tonga he was not committed
to the defence or survival of autonomy for the sake of those who desired
it. He would not have been content with the kind of prestige which this
might have afforded him. However, like Solf of Samoa, he was not content
either to be the mere mouth-piece of a metropolitan-directed
administration.

Judged as a colonial power and by the 'higher Imperial duty' which
Mills regarded as the responsibility of an administering country, New
Zealand's record was less than spectacular. Her policies were senselessly
destructive, inefficient and self-defeating. There was no long-term
commitment to the welfare of the people beyond that hinted at in
references to 'tutelage'. No Maoris were trained to participate in a
new style of government. This criticism was raised in Parliament in 1903
with reference to the lack of outlets for Tereora school leavers. In
1899 a medical training programme had been instituted in Fiji. Though
there were two Maori Ministers who were doctors, who understood the
difficulties Maoris experienced in appreciating European notions of
sickness and health, and their reluctance to approach European practition­
ers, nothing like this was suggested for the Cook Islands. There was no
 provision for education that would allow for adjustment to the elaborate
 system of graduated change and broadening horizons to which Ngata referred.
The success of any policy aimed at changing deeply entrenched attitudes
depended upon involving Maoris in change and in training them to meet
it, but in the Cooks this was not attempted. Gudgeon promoted some
development projects but the example provided by the Fijian medical scheme,
Ngata's nursing programme in New Zealand, and Pope's sane attempt at
health education were ignored. 28 Nor was there 'constitutional develop­
ment' in the sense that Gilson used it, but a constitutional retrogression
designed to break down the structure of Maori government and authority
and its resistance to New Zealand requirements.

New Zealand's predictions of economic wealth and development were based on false assumptions concerning both the land potential and the response of the people to European notions of industry and incentives. When it became apparent that the initial forecasts could not be realised, New Zealand became quickly bored with the territory. Boredom gave way to exasperation when hitherto unforeseen problems associated with colonial administration asserted themselves. These were becoming apparent before 1909 but nothing was done to modify an administration that exacerbated the problems. New Zealand persisted in its determination to see an economically and financially viable group cope with the increasing responsibilities that metropolitan standards were imposing. By 1912 the group was becoming a political and economic liability.

But one of the positively beneficial by-products of New Zealand pragmatism was the absence of a training programme for colonial administrators and personnel. There were thus no men trained on the basis of colonial experience with career incentives to keep the system going or to instil colonial attitudes and values into the people. From the Cook Islands point of view, however, there were positive benefits in the supply of insensitive and unimaginative men whose attitudes engendered the resentment which kept alive, and in fact stimulated, nationalist sentiment.

There is a basic fallacy in the contention that well-trained men versed in the 'peculiarities' of the people for whom they are responsible will better serve them. Colonial administration, whether tactful or not, is the means by which an alien system of authority is imposed and maintained. No lasting political, social or economic benefits can result where these are not influenced by indigenous life-style and opinion. Where indigenous opinion and participation do shape events, the situation is not truly a colonial one though it may still be objectionably paternalist. The question still remains, in whose interests a knowledge

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29 This is not to say that men chosen without such career training did not instil colonial attitudes into the people. However, the situation in Papua New Guinea, until recently one of the last colonial outposts, demonstrated the vested interests of Australian career officials in maintaining the status quo and their discouragement of real political development and adequate administrative and technical training. For some time this situation was reinforced by civil servants from Africa whose career opportunities had otherwise disappeared.
of indigenous society is used. The temptation is to use it, as Gudgeon tried to do, as a means of cajoling people into accepting inappropriate alien reforms and values.

If there was some merit in New Zealand’s performance when compared with other colonial situations, it was principally because she stopped short of the kind of excesses practised by more determined colonial powers. No thoroughgoing attempt was made to exploit fully the resources for which the islands had been taken in the first place. While Parliament had not objected strongly enough to prevent an effective assault on chiefly authority, it had objected with energy and determination to the compulsory acquisition of land in the islands. This attitude is somewhat paradoxical because of its support of the 1905 legislation affecting Maori land in New Zealand. Parliament’s position might well have been different had the Cooks been obviously rich in resources, but this must be balanced against the feeling of commitment to the islands on the part of some of the Members who visited them in 1903 and the effect of pressure exerted by the L.M.S. As it was, New Zealand’s attitude to the islands after 1909 appeared to be characterised by a benign, if muddled and sometimes impatient, paternalism.

The Racial Milieu

In New Zealand itself, relations between Maoris and the settler government had broken down over the question of land and the right of Maoris to conduct their own affairs outside the established state machinery. Settler and government attitudes were characterised by fear, intolerance and racial and cultural arrogance. Later, however, in a slightly more relaxed atmosphere, Maori complaints had been dealt with and, in 1900, legislation in which Maoris themselves had had a say, was before Parliament. By then some Maori leaders had begun to compare the experience of their own people with that of others in similar situations. In this assessment, the ideas of Parata, Te Rangi Hiroa and Ngata are of significance.

Parata praised the ‘British race’ for its consideration of dark-skinned peoples. Te Rangi Hiroa was more specific. He contrasted the experience of the Maoris in New Zealand and the Cook Islands with the ‘bad’
treatment meted out to the Aborigine. He also implied that the success of the Anglo-Saxon civilising enterprise in New Zealand was due to contact with 'one of the higher branches of the Polynesian race' in contrast to the Aborigine and the Fijian Melanesians who were 'in many ways a lower race than the Polynesians'.

There is in this argument, as in Ngata's later exposition, not only the sense of racial superiority - which Europeans shared - but also a statement of his belief that Polynesian and British political social systems were intelligible to one another and therefore capable of co-existence and modification.

By the time Ngata was writing most eulogistically of the New Zealand and Cook Islands experience, he had been knighted, as had Carroll, and Pomare. They had been public figures for many years and, as Ramadan pointed out, believed that they had been given real responsibility, not token recognition. Ngata's arguments rested largely on the situation of men like himself who were involved in government. They had a vested interest, not only in justifying national policies, but in placing in some satisfying perspective their own contribution both as Maoris and as extremely gifted individuals. Though their own accomplishments were in some ways unique (and were not to be duplicated afterwards) they seemed to prove that the Maori race was demonstrably intelligent and, especially within the context of British institutions, capable of high achievement rare among colonised peoples. While they overestimated the amount of goodwill in a European community devoted to the preservation of its interests, they were nevertheless convinced of the possibilities for Maoris within the New Zealand environment.

The British civilising influence that Ngata stressed was more evident at the birth of the colony in 1840 than later. British humanism as an effective political force died with the demands of national and economic interests and the growth of anthropological and so-called 'scientific' studies of race. As a colonial power Britain provided no more of an edifying spectacle than that of other powers, as Rigg pointed out in 1901. The ferocity of British reaction to the Jamaican revolt and the Indian Mutiny unfitted it to be the guide and mentor even to
pushing colonial politicians whom British officials were pleased to call 'hoodlums'. Britain had failed to keep the guarantees in the Treaty of Waitangi. She was still making such gestures in British New Guinea in 1884 and in the Cook Islands in 1889. In the Pacific, High Commission officials could no more stomach the 'deviousness' and 'corruption' of Tongan politics than Gudgeon had been able to accept ariki behaviour in the Cooks.31 Tonga largely survived the British protectorate and New Zealand's ambitions because of the will of her otherwise weak king, his beachcomber 'derelicts' and a few idealists within the High Commission itself. The British were as incapable as the New Zealanders of the introspection that would have enabled them to see in their own societies more glaring evidence of the same things they condemned in the affairs of others. Queen Victoria and an effete aristocracy had been indifferent to the misery of the English masses in their rat-infested slums while those who controlled the national wealth opposed social and political reforms. Indeed there is a positive correlation between contempt for the uneducated masses in England and racial attitudes in America, Africa and the West Indies.32 Victoria's successor could have taught George Tupou II and other Polynesian chiefs a thing or two about self-indulgence. These truths were not lost on some Europeans. George Ellis of Manikiki reacted with distaste and horror to an article in the London Illustrated News describing the eviction of the poor from their homes in Mayo. He compared the situation with the attitude of the ariki who, despite their considerable powers, would never have been able, or allowed to condone, the wholesale eviction of the needy.33

An amalgam of ideological, social and political influences had operated within New Zealand society to bring about distinctive modifications of the usual colonial pattern. It is not possible here to analyse in detail the various factors to account for an attitude to race that distinguished the New Zealand experience finally from that of

31 Scarr, op.cit., pp. 109, 112-3

32 Christine Bolt, Victorian Attitudes to Race, London, 1971, pp. 33, 64. See her comments on the repercussions of the American anti-slavery movement in Britain and the opposition of powerful sections of British business interests and the press to Lincoln's administration and reform, pp. 33, 64.

33 Moss, Through Atolls and Islands, pp. 120-21.
Australia, South Africa and America but they are nevertheless highly relevant to the colonial process.

It has been mentioned that, despite the limitations of the amalgamationist policy in its conception and application, some positive benefits resulted from it. Among these was the rejection of the idea of institutionalised racial segregation and the assertion of the rule of law which prevented a total descent into racism. However, the rule of law in itself is insufficient to explain fully the differences that Maoris perceived. The law could be, and was, used as the instrument and mainstay of European dominance. It was often in those cases where law and government did not press too hard that safety valves were created within the society. But if the law failed to make any significant gestures to Maori values and social justice, and if in its operation it was faulty and Eurocentric, the ideal of equality before the law was extremely important.

Humanist attitudes during the early years of New Zealand's colonisation have exerted a continuing influence. The Treaty of Waitangi may have been a faulty human rights document, but as a fact and later as a symbol and ideological point of reference, it has great significance - as has the status of Maoris as British subjects. Despite the denial of some rights and deteriorating racial attitudes, the differences between the races were based on opposing needs rather than a social darwinist concept of racial inferiority. There was never any official policy which fostered latent prejudices; certainly nothing that condoned an attitude of regarding Maoris as less than human. What Geddes has called the strong ideological theme of racial equality has influenced


35 See C.D. Rowley, 'Aborigines and other Australians', Aboriginal Affairs, Information Paper, No. 6 (June 1964). 'All property rights in Australia derive from the historical context of total occupation by whites. The Aboriginal has inherited nothing from the fact of prior occupation' p.4. In New Zealand, both Europeans and Maoris were 'British subjects' until New Zealand citizenship was conferred on them by the New Zealand Nationality and Citizenship Act, 1948.

36 C.F. Rowley, op.cit, p.1: 'White men's consciences might be placated only by attributing to the Aborigines the status of an economic pest, for if they were human, white men were murderers'.

the behaviour of both ethnic groups and reinforced the idea of equality before the law. 37

There is also a complex of 'negative factors' - none of which by itself is sufficient to explain significant differences and some of which are applicable elsewhere. They did nevertheless, as they do now, serve to support an essentially tentative and fumbling process. Sinclair lists what he considers to be the most important: the demographic preponderance of the European after 1860; the low level of racial contact; the fact that Maoris could not indefinitely retreat and had therefore to adapt; that settlers wanted land rather than cheap Maori labour; the absence of sexual rivalry and jealousy towards Maori males; and the long tradition of intermarriage. Lastly there was some respect for the warrior prowess of the Maori, and the acknowledged 'superiority' of Maoris as a race. 38

In weighing up these factors, great stress needs to be placed upon the contribution of Maoris themselves as dynamic and moderating elements in the process of racial accommodation. The onus of adaption was placed almost entirely upon them. That their leaders often displayed more resilience, flexibility and tolerance than their European counterparts was itself an important factor in strengthening the tendrils of European philanthropy. In this they were assisted by the persistence of minority opinion inside and outside Parliament. It could also be said that in a small unitary state where the law is felt directly, Maori leadership had one rather than a multiplicity of authorities with which to deal.

37 Geddes, op.cit., p.217

38 Keith Sinclair, 'Why are Race Relations in New Zealand Better', NZJH, Vol. 5, No. 2 (Oct. 1971) pp. 121-7. He places particular stress on the important of Anglo-Saxon attitudes at the time of New Zealand's annexation and their impact upon the new settler. See also Alan Ward, 'Towards One New Zealand', Ch.17 and the revised version of this in A Show of Justice: racial amalgamation in nineteenth century New Zealand, in press, which he kindly allowed me to read; J.J. Mol, 'Race Relations with Special Reference to New Zealand: A Theoretical Discussion', JPS, Vol. 73, No. 4 (Dec. 1964), pp. 375-81; David B. Ausubel, The Fern and the Tiki, Sydney, 1960; and John Williams, Politics of the New Zealand Maori, Ch. 10.
By the end of the century, the time had gone when Parliament could have proceeded against Maoris as a whole in a blatantly discriminatory or vicious manner without doing real injury to its own social idealism, and without fracturing its evolving self-image. When the Government resorted to force against Rua and his followers in 1916, it had already used its coercive power, aided by farmer 'specials' ('Massey's Cossacks'), to break striking 'Red Fed' waterfront workers three years earlier.

A subtle range of influence therefore reinforced some of the early inherited ideals, and prevented the excesses and more severe ethnic humiliations experienced elsewhere. Most of these influences have been informal, largely fortuitous and have operated outside government or government flat. Successive New Zealand politicians, however, drew upon the reservoir of goodwill created in these circumstances when they advanced claims of New Zealand's fitness to govern Polynesians; the various influences mentioned have in fact mitigated official failures and mistakes and Maori resentment in ways which could not otherwise be explained. There has thus developed a capacity on the part of both Europeans and Maoris to mythologise the contribution of government, its institutions and leaders in what they have seen as the enlightened pursuit of advanced administrative and social principles. The societal value of a good myth can not be overlooked in making sense of the past and in structuring the future. Despite the complacency engendered, governments have indeed become captive of their own image-making, with consequent effects on policy.

* * * * *

New Zealand's opinions of her ability to govern Polynesians have left latter-day Cook Islands politicians largely unmoved. The one outstanding fact that has been remembered and unreservedly praised was

39 A representative of a Maori 'Black Power' group recently admitted that in the absence of a tradition of systematic brutality it is difficult to promote tactics of confrontation with white authority. (Personal communication) However, Maoris do have long-standing grievances and it is possible that such confrontation may occur in urban centres where they are exacerbated by urban and vocational problems.

40 See Mol, op.cit., p.375. In this context, Mol uses the word 'legend' instead of 'myth'.
that New Zealand, unlike the French in Tahiti, did not take land away from the islanders. In other respects, islanders have looked backward over the hump of the colonial era and are in the process of making their own regenerative myths. While the man who led them to self-government, Albert Henry, catalogued an alluring range of reforms and innovations, it is significant that much of his bid for political support was couched in terms of appeal to traditions and references to an idealised 'golden age' during the Protectorate.

The roots of Henry's success lie in the 1940s, when he articulated the kind of discontent that had been intermittently manifest since the early years of New Zealand's administration. Contemporary Cook Islands politics have reflected the factional cleavage of earlier years. Prominent among Henry's followers have been the descendants of those chiefs who were most adversely affected by the long period of European ascendancy - not least during the rule of Gudgeon. This trend is most marked at the seat of Henry's power in Rarotonga where, of the six ariki, he has been supported most strongly by the successors to the titles of Kainuku, whom Gudgeon ignored, Tinomana, who incurred his displeasure, and Vakatini (Daniela), whom he persecuted. Henry's most unrelenting political opponent among the ariki has been the descendant of Makea Takau, the principal chiefly instrument of the annexation.

Fifty years after the passing of the Cook Islands Act, the islanders regained control of their internal affairs while retaining the protection and assistance of New Zealand. This was not unlike the formula discussed by Makea Takau and Ballance in 1885, and sought by the ariki again in 1900. By 1965, however, the ariki were no longer the power-brokers in Cook Islands society. By virtue of the ballot box, and the needs of Cook Islanders during a period of rapid political change, many of the powers of both Gudgeon and his chiefly opponents have devolved upon the first Premier.

41 Cook Islands News, 14 Sept. 1965. The first Premier of the Cook Islands referred to this in his official speech at the self-government celebrations. But he found it necessary also to refer to the need for protection of Cook Islands produce on the New Zealand market.

42 Mr. Henry's view of the Protectorate has been influenced by Ronald Mason's Frontier Forsaken, Auckland, 1947. He did not take Mason's view that New Zealand had destroyed a 'democratic' government, but nevertheless referred to the ariki as the representatives of the people at that time.
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APPENDIX A

A Note on Lt. Colonel Walter Edward Gudgeon, C.M.G.,
and a list of his published works

Gudgeon was born in 1842 in London, England, where his father worked in the Income and Property Taxation Office for seven years prior to the family's departure for New Zealand in 1849. The family name was really Mayth, but Gudgeon's grandfather was a posthumous son who assumed the name of the maternal uncle by whom he was brought up. The family arrived in the Berkshire at New Plymouth in January 1850. After attending Mr Beardsworth's school for a few years, he did odd farming jobs before joining the Volunteer Company formed in New Plymouth in 1849.

Gudgeon's father, Thomas Gudgeon, had bought a farm from Donald McLean, then Chief Land Purchase Commissioner, but after ten years of unsuccessful 'bush-farming', the family moved to Wanganui. When the war spread to that area in 1864, both father and son enlisted: Thomas Gudgeon as a private in the Wanganui Militia, later becoming Quartermaster and Commissariat Officer to the Colonial forces with the rank of Lieutenant; the young Gudgeon under Captain McDonnell with the Native Contingent, in which he became Sergeant-Major. Both father and son were resentful of the inferior status and promotional opportunities suffered by colonial soldiers compared with their imperial counterparts. Walter Gudgeon attributed the later popularity of Ballance and Seddon in part to their efforts to improve the position of the colonial soldier. Some of their antipathy was evident in Thomas Gudgeon's view that

The Maori War was very distasteful to the Imperial forces, and no wonder either, as most of the regiments had come flushed with victory, direct either from the Crimea or the Indian Mutiny, and were disgusted with the guerilla bush fighting of New Zealand. As they had not suffered by the rebellion they had nothing to avenge. No hard earned property destroyed; no homes broken up; no wives and children slaughtered; no honour to gain. Consequently, they looked upon the Maori as a foe unworthy of their steel. This feeling it was that led eventually to the withdrawal of the Imperial forces. Then it was that the Government fought the natives with our colonial lads, who were as much at home in the recesses of the New Zealand forests as on the open plain. They soon terminated the war ...

Gudgeon received his commission for gallantry in disarming a body of 'rebel' Maoris at Areiahi. He was present at the relief of Pipiriki, a post

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1 Personal interview with his grandson, Mr Elsdon Craig. Footnotes here are restricted to information gained from personal interviews and quotations from his own works. The latter and other sources used are fully listed at the end of this appendix.

2 T.W. Gudgeon, The Defenders of New Zealand, Auckland, 1897, p. 491. Elsdon Craig states that this work, like a number of others attributed to T.W. Gudgeon, was in fact ghosted by his son, Walter Gudgeon, to help his father out of financial difficulties.
60 miles up the river from Mangamahoe, when it was besieged by the chief, Pehi Turoa. He was second in command of the Native Contingent in its campaigns at Opotiki on the East Coast against Te Kooti and the Hauhau, Kerewa, 'the eye-swallower'. He accompanied Sir Trevor Chute in his campaign of 1866 at Otakou and Putoki. For action there he was promoted to lieutenant. On recovery from an accidental injury, he was appointed to the command of the Native Contingent at Papiriiki until recalled to Patea, in Taranaki, when the land survey of that area was commenced. He served in the West Coast campaigns against Titokowaru and the coastal tribes. He later pursued Te Kooti into the Urewera.

At the end of the war in 1872 he was appointed Resident Magistrate at Gisborne. In 1881, however, he was 'recalled' to command his company during the disturbances at Parihaka, in Taranaki, where Te Whiti was arrested on the orders of the Native Minister, John Bryce, following a campaign of passive resistance and obstruction of survey. He remained in command of the district of Maniapoto until 1885 when, promoted to Major, he was placed in charge of the land forces at Wellington.

Gudgeon’s experience served him well and he had impressed senior officers and officials with his energy and ability. He became acting Under-Secretary of Defence in 1885-86 and was then appointed to head the new National Police Force. He left this post to become a judge of the Native Land Court in 1890, a position he held until his appointment as British Resident to the Cook Islands in 1890. He was made a C.M.G. following the annexation of the islands in 1901.

Gudgeon had learned a great deal about Maori culture and society during his campaigns and his association with Maoris and tribes for whom he had great respect. He formed a life-long friendship with the noted scholars in this field, Percy Smith and Elsdon Best (the latter became his brother-in-law). His growing involvement and intellectual interest led to his becoming one of the foundation members of the Polynesian Society; he presided over its first meeting in the Museum at Wellington on 8 January 1892. He wrote extensively for the Journal of the Society and contributed papers also to the Monthly Review, Wellington, in 1889-90 under the pseudonym 'Te Morehu'. His articles in the Journal, with few exceptions, are concerned with the New Zealand Maori. These appeared during the period 1892-1909, many while he was in the Cook Islands. The tone of his writing is spiced with considerable humour and wit. The old-time Maori, particularly the warrior, he held in high regard.

This contrasted with his appreciation of the Cook Islands Maori. Despite the differences in outlook and temperament between Gudgeon and the LMS missionary, James Chalmers, their experience was in one respect similar. Both men had gained a knowledge of a people and their past during an impressionable period of their lives. Chalmers' real admiration was reserved for the Barotongan, while his sense of duty and adventure led him to work among people in New Guinea for whom it seems he never acquired the same feeling. Gudgeon laboured among the Cook Islands Maoris while

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3 This is said in the obituary published in the JPS, Vol. 29, No. 113 (March 1920), p. 20. Taylor, however, in his Pacific Bibliography, Oxford, 1965, p. 190, attributed the writings of 'Te Morehu' to his father, T.W. Gudgeon.
remaining committed intellectually and emotionally to the past of the New Zealand Maori. The islanders challenged his authority rather than his intellect or admiration, though he had begun to collect oral histories, genealogies and stories. His unpublished papers on the Cooks are concerned more with the influences of a regrettable post-contact period and the difficulties this posed not only for New Zealand, but for the future of the people themselves. With the pressures upon him, he was not able, nor did he later care, to heed his own advice when dealing with the 'Maori mind':

Whenever a man of European descent finds it necessary to speak or write concerning the Maori, his manners, customs, or history, he will do well to approach those subjects untrammelled by any preconceived notions of right or wrong. For by such means only can he obtain an unprejudiced and fairly correct impression of the mental and moral characteristics of a people who differ very greatly from their European neighbours. Holding, as I do, that the Maori cannot be appreciated at his proper value by those who would judge him from our own narrow point of view, I would, with all humility, suggest to my readers that they ought, for the time being, to ignore the time honoured notion that the Christian code of morality is the only correct rule of life, and accept temporarily the theory that much as the manners and customs of the Maoris may differ from ours, they may—as far as that people are concerned—be equally right and salutary.

As a friend of the Maoris I hope to see them judged by this standard, in so far that they are a very peculiar people, and follow a moral code entirely their own; one that bears very little resemblance to that which we have been taught to revere, but which has at any rate this undoubted merit, that it has been found suitable for the purposes of a very warlike and manly race during the last thousand years of their history.4

Gudgeon married twice. His first wife was Edith Best with whom he had three children, two daughters and a son who died at sixteen years of age. His second daughter married Dr George Craig, who had been in Rarotonga from 1895. His second wife was Bertha Tuke. By this marriage there were four children, two daughters and two sons.5

Gudgeon suffered from recurring illness from the time he was a magistrate, and his health deteriorated rapidly after his return to New Zealand from Rarotonga in 1909. He suffered from pernicious anaemia and the progressive immobilisation of the legs. By 1914, one of his eyes was almost useless. He had retired to Auckland and spent his time gardening and writing.6 His fading eyesight was a serious handicap. He commented

5 Personal interview with Mr Elsdon Craig.
6 Personal interview with his daughters, Misses Gladys and Beryl Gudgeon.
that he would 'prefer death to blindness'.\(^7\) This did not prevent him from contributing his services as a censor during the First World War, after a brief return in 1913 to Rarotonga, where he had acted as a relieving judge of the Land Court. He died in January 1920 at the age of seventy-eight.

A complex man, Gudgeon recognised that he was inflicted with a short temper and an inability to suffer 'bossing' and authority.\(^8\) His sense of duty was highly developed, as was his ambition to succeed and make the kind of contribution valued in his day. However, he was singularly lacking in personal vanity and, though a meticulous and tidy man, he neither cared what he wore nor how he looked. He was not a religious man and he, alone of his family, renounced the church 'by not taking any notice of it'. He had some advanced social ideas and allowed his children, including his daughters, wide latitude in what they read and did. In other respects, he shared many of the prejudices of the frontier colonial. Though there is some idealisation of old-time Maori values in his writing, he reacted against the 'noble savage' idea, and saw people and their deficiencies in terms of social Darwinist principles. As noted in an obituary in the Journal of the Polynesian Society, he had indeed been 'a man of many parts'.

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\(^7\) 'Small Diary', 1913-19, entry 11 May 1914.

\(^8\) This paragraph is based mainly on information obtained in personal interviews with both Mr Elsdon and Misses Gladys and Beryl Craig.


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Published under the name of T.W. Gudgeon
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who distinguished themselves in upholding Her Majesty's supremacy
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The issue of control thrown up by the Protectorate had been decided in favour of New Zealand; the issue of authority in favour of the Resident Commissioner. But Gudgeon felt that Moss's attempt to replace the rule of persons by the rule of law had not been settled decisively enough in favour of secular authority. He witnessed, and indeed contributed to, the further decline of overt mission influence which in this period paralleled that of the ariki, with whose fortunes the mission had always been associated. The decline was attributable basically to financial and staffing difficulties, and growing disenchantment of the LMS Directors with the spiritual results of the mission's long labours. It was hastened, however, by Gudgeon's suspicion of LMS motives, his hostility, and his disinclination to assist with the educational responsibilities with which the Society could no longer cope. The last bastion of ariki prestige was therefore a weakened church which, while still commanding strong adherence at the popular level, was no longer the central pivot of island life.

The LMS had welcomed Gudgeon warmly, seeing in him a 'man of sense and determination', qualities which would assist in the return to order and, they hoped, with their own problems. Cordiality deteriorated as a result of Gudgeon's frustration with the chiefs. His most outspoken criticism of the LMS had been for its failure to inculcate habits of industry into the Maoris; for giving comfort and aid to the chiefs in the abuse of their authority; and for sabotaging his settlement scheme. Though most of the missionaries welcomed his proposals for the reform of land tenure, they were opposed to settlement, fearing not only that the Maoris would lose their lands, but also the effects of a sizeable inflow of Europeans. Despite their occasional pessimism, they disagreed with his method of approach and his abuse of the people. The situation worsened as Gudgeon learned more about the old mission 'government' and became more closely involved with missionaries for whom he had no respect.

Gudgeon wrote at length on the mission. His scathing condemnation of it was expressed with super-Swiftian conviction and a flamboyance that revealed the frustrated administrator, the iconoclast and the intensely practical thinker. He believed that 'men must be judged by their actions'. His most bitter condemnation of the mission after eighty years of work was of what they had made of the Maori. In his opinion they had crushed the old spirit out of the people and, by bringing out the worst traits in the Polynesian character, had turned them into 'solemn prigs'.

1 See SSR: Cullen, 28 Oct. 1900; Hutchin, 6 Nov. 1900 and 30 June 1899 - Gudgeon was 'straightforward and honest'; a 'thoroughly fine gentleman in every way' except that he was apt 'to write and speak hastily'. Miss Large, 10 Oct. 1898, remarked that he was an 'apostate Catholic' who thought for himself.


3 See his essays on the LMS in GP: 662/E, 662/F, 662/G — probably written about 1909 or 1910.
whose only conception of religion was that man was created for the sabbath. Outwardly, they appeared to be the most religious people in the world yet required the largest police force in the world to restrain their tendency to evil — or their reaction against 'narrow sectarian teaching'. The mission had 'contributed towards the manufacture of the most consistently wicked and hypocritical scoundrels on the face of the globe' who were for the most part 'Adulterers, liars and thieves ... apparently devoid of human sympathy, for they are cruel to one another in ways that would hardly be believed'. In a manner reminiscent of both Gaugin and Rousseau, Gudgeon concluded that the decadence of the Polynesians of the Eastern Pacific dated from, and was co-existent with, the 'planting of the tree of life' — or the LMS version of it — among them.1

Gudgeon blamed LMS policy and teaching. Not once, Gudgeon said, had he heard a pastor rebuke his congregation for the lives they led or speak on the necessity for good works. He condemned the missionaries for their lack of real interest in 'sinners' and for their vilification of white men, even those who needed spiritual help. The whole missionary enterprise was a gigantic fraud. Highly coloured reports of the successful conversion of 'coloured gentlemen' brought in the dollars and allowed an 'inept society' to rob the poor of Britain of money that should have been spent on themselves. Compared to these people the heathen were 'absolutely wealthy and, having no taskmasters, required no help'. Yet there was a certain glamour attached to missions to savages, and to converts who had once been cannibals. It was not the actual work of the mission that evoked sympathy, but the shocks and vicarious thrills for which a hypocritical Victorian public was willing to pay. While professional apologists were writing of notable victories, the mission did not speak about the unpalatable truths and failures. Gudgeon was antagonistic to the mission to New Guinea, for instance, and he used the testimony of Ono, one of the few survivors of the many Cook Islanders who had gone there, as an argument against its continuation:

My friends I hardly know how to describe those people of New Guinea to you, for they are not like you. When you think that you have really converted them, they perhaps ask you for tobacco... You tell them you have none, and they reply, if there is no tobacco I do not belong to this Mission any longer, and they go. My friends for 19 years I have been labouring in New Guinea and I can boast of only three converts, only three.2

Gudgeon claimed that whereas the missionaries would pose in the 'Old Country' as advanced liberals strongly opposed to 'landlordism', in the Cook Islands they were the confidential advisers and supporters of land-grabbing chiefs, because the welfare of the mission was of greater

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1 ibid., 662/F, pp. 4-10. For some examples of the cruelty to which Gudgeon referred see the writings of W.N. Gill, especially Historical Sketches of Savage Life in Polynesia with Illustrative Clan Songs. Wellington, 1889.

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importance to them than the welfare of the people. Such was their influence they could have done 'anything' but, for the continuation of a mutually beneficial alliance of church and state, they had declined to interfere with the 'games of the ariki' and were responsible for the growth of an intolerably tyrannous form of government. 6

As an administrator, he detested mission influence and those 'snuffletaster' Ministers and politicians who supported it. He agreed with Act Rellef and Sir Percy Fitzpatrick that the LMS had usurped authority in Africa and elsewhere and had influenced the Colonial Office. What the Society was in South Africa, so it had been in New Guinea, where he condemned its persecution of Judge Robinson for his punitive measures against the murderers of Chalmers at Goaribari. Its 'hunger for power' had to be crushed though he hoped that 'the unmeasured contempt for the mission so freely expressed by nearly all Europeans will in good time kill the Society'. 7

It was in his personal evaluation of the missionaries themselves that Gudgeon was most vitriolic. He had collected testimony from many islanders who recalled physical punishment inflicted upon wrongdoers and the lesser humiliations descended of the people. Makea Ariki told him:

0 Kateni you do not know these missionaries as I know them. There was a time that [only] Makea of all the people of Rarotonga was allowed to walk on that part of the old road known as the Ara Metua, that runs through Mission land. Do you know that no man was allowed on the Mission Verandah, unless invited to that place and even then he had to crawl there and kiss the missionaries hand.

The Ara Metua had been a thoroughfare for 600 years. When the LMS wanted to close that part of it that ran through mission property, Gudgeon refused permission. 8

As a soldier he despised the pacificism of the missionaries; they outraged his ideal of leadership. The majority were 'comparatively low in the scale of life both mentally and physically and cannot be said to belong to the Vertebrates'. For all practical purposes, therefore, the human race might be divided into three classes - 'men, women and missionaries to the Heathen'.

Moreover, they were lacking in that manliness of character and demeanour by which alone can the respect of Savages be gained or retained. In other words they have none of the qualities that has made the name of ... Chalmers respected by every man that ever came into contact with him. If the Gospel is to be respected by Savages, it can only be effected through the medium of the respect felt for those who preach it, and this is perhaps true whether the congregation be civilized or savage, but with the latter it is essential, for never do they separate the man from his office. 9

6 CP, 662/F, pp. 6-9.
7 Ibid., 662/E, pp. 1-3.
8 Ibid., 662/F, p. 10.
9 Ibid., p. 4.
Gudgeon concluded that the missionary should be of the warrior type or a man of the world, but as unlike the present representatives of the LMS as possible.

Although there was much truth in what Gudgeon said elsewhere about the mission and individual missionaries, he underestimated and oversimplified the complexity of change that had taken place since contact. He regarded this as a kind of linear development of unrelieved accumulation of power by chiefs and missionaries alike, whereas missionary influence over the chiefs fluctuated, and chiefly powers were consolidated almost as much as commerce as by the convenient combination of church and state. Gudgeon was also ignorant of the self-questioning and attempts at direction-finding among many of the later missionaries which followed Chalmers 'manifesto' and the establishment of the Protectorate. In many respects, though he would never have recognised it, Gudgeon and the Society had much in common.

The LMS had, in fact, attempted to diversify crops and to encourage habits of industry - not only because industry was a virtue but also as a means of obtaining contributions to missions funds. The missionaries had of necessity worked through the chiefly system as a means of gaining their objectives - as Moss and Gudgeon were forced to do. But the growth of commerce had produced results which were new and disturbing to them. They complained of partiality towards relatives and friends in the administration of justice by the chiefs, as well as of a new assertion of chiefly power; and they were concerned that most of the deacons were 'old conservatives' closely connected with the ruling chiefs. Payment was being demanded for all services, from minor church repairs to bell-ringing. Despite their influence they found themselves unable to prevent abuses in the law or in many of the land transactions which they deplored.

In politics, the missionary presence had profoundly affected the hitherto fluctuating balance of power. Cessation of intertribal warfare on Rarotonga, for example, froze the situation as it was in 1823. Makea had just defeated Tinomana, but the missionaries had arrived before an intended attack on Makea could be launched by the stronger Pa Ariki. This laid the basis for the growth in importance of the Makea title to which other aspects of outside contact contributed.

With notable exception of Royle's activity on Aitutaki, the mission did not consciously attempt to reorganise the structure of government because it was utterly dependent upon the authority and protection of the chiefs. But it did introduce a new moral and criminal code; and important political and social changes stemmed from its policies and influence. Pacification led to a decline in the mana of lesser chiefs as the authority of the ariki was no longer moderated by military reliance.

Missionary letters from Mangaia illustrate much of what had occurred. As early as 1850, William Gill had suspended the 'King' and fourteen others from church membership for miscarriages of justice (SL, W. Gill, 19 Jan., 1850). In 1877, Harris contrasted the earlier predominance of ecclesiastical authority with a new and aggressive assertion of power by the ariki (ibid., Harris, 9 Oct., 1877). In 1883, Lawrence complained of the 'gigantic system of robbery' operated by the chiefs (ibid., Lawrence, 18 Dec. 1883). There were frequent references to 'land-eating', and at Rarotonga, Hutchin reported that the chiefs had one law for themselves and another for poor people (ibid., Hutchin, 24 Dec. 1883).
on them. The new religious beliefs made the formerly powerful priests redundant. On accepting Christianity, the *ariki* themselves assumed high office in the church - even pastors eventually came under their control. Church membership became a prerequisite for influence in the community and the source of recruitment for the judges and police who enforced the new laws. The former complex system of authority resting on reciprocal rights and obligations, and maintained through the concepts of mana and *tapa*, were distorted in favour of the *ariki*, whose power became greater under the new 'theocracy' than under the traditional one.\(^1\)

In addition, individual missionaries exerted great personal influence. This was necessary if a realignment of values, acceptable to lower middle class English evangelicals, was to take place, and if the example of itinerant Pacific scallywags was to be effectively countered. They played an important role, also, in communication with foreigners. With the passage of time and the threat of political repercussions in the Pacific, they had inculcated in the islanders a deep sense of mistrust towards non-British powers and nationals, and a jealous possessiveness towards land which events in New Zealand had strengthened. They had attempted to seal off the islands from outside contact and to maintain a bastion of consolidated Christian opinion. The kind of authority the mission exercised, therefore, had much to do with the later attitudes of Maoris to Europeans.

Though the missionaries had given point to the fierce sense of independence already present on a district and island basis, some of them recognised the deficiencies and long-term disadvantages of policies being pursued on the basis of a changed tribal situation and the need for a more static kind of factionalism resulting from it. The chiefs governed, but the only cohesive policy was that pursued by the mission, ostensibly for non-political ends. However, as the pace of change quickened, many missionaries found the resulting problems difficult to deal with. There was less respect for chiefs, especially on Mangala, and young men left aboard whalers and as indentured labourers. On Rarotonga, in response to changing circumstances, the mission encouraged the chiefs to form a kind of consultative council to regulate prices for produce, to pool resources for making new roads, and to give some uniformity of approach to the problems presented by strangers. As initiator of this move, Chalmers had drawn up laws for the council in the hope that it would become permanent.\(^1\) He believed that the people should prepare for the future - to cope with 'whites' and to take care of themselves. He recommended that the churches should be left to themselves, with only one European missionary to run the Theological Training Institute, because an essentially Maori church supervised by foreign clergy would inevitably remain weak and dependent. He maintained also that the Society in Britain should not require money or contributions from the Maoris at the price of their neglecting their lands.

There were others who shared his unease. Lawrence admitted that it was sometimes difficult not to overstep the limits of his authority as a

\(^{1}\) See Gilson, *The Administration of the Cook Islands*, Ch. 3, for a perceptive analysis of the mission period. See also Bernard Thorogood, *Not Quite Paradise*, London, 1960, Chs. 3-4, for the views of a latter-day missionary.

\(^{12}\) SSA, Chalmers, 9 Dec. 1874.
missionary. He saw, too, that the older missionaries had had to exert authority inside and outside the church and hence, in his opinion, had really ruled the people rather than teaching them to govern themselves. His views were strengthened by the chaos he found on Aitutaki after the death of the strong-minded Henry Royle who had left the chiefly system in tatters.\(^{13}\) Even the less sensitive Harris recognised these dangers and the need to 'force' some self-reliance upon the people. He saw in Chalmers a missionary of 'advanced principles', one who gave exceptional freedom of utterance and action to Maori pastors and their congregations. This 'loose rein', he said, suited the ideal of native leadership. He thought Chalmers had been the most successful missionary on Rarotonga (from the native point of view), and was highly revered.\(^{14}\) Twenty-six years later, Chalmers was cited by New Zealand parliamentarians who saw his approach as a basis for effective and autonomous government in the Cook Islands.\(^{15}\)

But Harris and others were not prepared to go as far as Chalmers was in localisation; and among them there was disagreement, too, on what was the ideal of native leadership. When it came to the point they held some of the same reservations about Maori ability and probity as Gudgeon did. But their failure to put some of Chalmers' ideas into practice was a serious disadvantage later, when the financial difficulties of the Society coincided with its disenchantment with what was regarded as the spiritual squalor of the islands. The training programmes which fitted Maoris to be teachers and assistants did not fit them to take over the church. The missionaries therefore experienced many of the problems that were encountered subsequently. Their own difficulties were exacerbated by the continuing aim of achieving a godly society underwritten by a faction-ridden chiefly authority, when neither was able to cope with internal and external problems arising from the growing incursion of European interests in the Pacific.\(^{16}\)

It was basically Chalmers' ideal that Moss had sought to realise in the introduction of his unifying political institutions. He failed not only because of ariki and settler opposition, but because of missionary opposition also.\(^{17}\) The LMS had accepted the Protectorate as a lesser evil than possible French intervention, but it was not prepared for the changes that came with it. During a brief return to Rarotonga in 1890, Chalmers considered that the missionaries were backward in appreciating

\(^{13}\) SSL. Lawrence (Aitutaki), 22 June 1886.

\(^{14}\) SSR, Harris (Mangaia), 5 Nov. 1878. Cf. Royle who criticised Chalmers for, among other things, teaching too much 'native culture' and not enough of the Bible (SSL. Royle to Chalmers, 13 Dec. 1870). The reputation of Chalmers in New Guinea towards the end of his life suffered by comparison with his earlier work in Rarotonga. He admitted his love and preference for the Rarotongans (CP, A 33, Chalmers to Moss, 9 June 1897).

\(^{15}\) NZPR. 1904, Vol. 130, p. 776, Trask (L.C.).

\(^{16}\) See Ernest Beaglehole, op. cit., pp. 114-17, for an analysis of the missionary failure to build up a strong native policy.

\(^{17}\) SSL. Hutchin, 16 Feb. 1891; Lawrence (Mangaia), 8 Dec. 1897 and 18 July 1899. Lawrence commented that Moss was now bitter against the mission and especially Hutchin.
and responding to new influences. They soon complained that Moss was attempting to challenge and undermine their authority. Though not as single-minded as Gudgeon, Moss saw the dangers of a continuing strong locus of authority and influence outside government. The bitterness that Moss ultimately felt towards Hutchin was followed by Gudgeon's detestation and desire to 'squash him flat'. But despite the depth of his feeling, and defeat of his land proposals in 1906 at the hands of the 'mission party', Gudgeon retained sufficient perspective and political acumen to observe the courtesies necessary to life on a small island, while continuing his campaign against the Society.

18 ibid., Lawrence (Rarotonga), 21 Sept. 1891; Harris (Manugaia), 18 May 1892; and Cullen (Manugaia), 11 July 1895. Lawrence, however, was in general agreement that the role of the mission would have to change and expressed himself in favour of getting rid of 'outdated laws'.

19 Compared with his oblique references in his despatches and his frankness in his private papers, Gudgeon's personal communications with the missionaries were comparatively friendly. See his exchange of opinion with Hutchin about the mission and politics in the LMS Letterbook (Rarotonga), op. cit.
APPENDIX C

Letter from Lt. Colonel Gudgeon to the
people of the Cook Islands, 28 January 1909
(from the Cook Islands Gazette No. 206,
pp. 366-9, 28 January 1909)

A Letter to the Group

It is now ten years since I accepted the position of British Resident
to the Cook Islands, and my object in writing this letter is to draw your
attention to the changes that have taken place in the group since my
arrival on the 12th September 1898.

On the date in question you owned but one institution that might prove
a blessing, you had but one evidence of civilization to prove that you were
under a stable and enlightened form of government, and that was the Tereora
school which had been initiated by the L.M.S. and subsidised by your
government. This school has at all times afforded an education most
suitable for the young people of these islands, and will have a lasting
effect on their future. It will indeed do more for the salvation of the
Maori population than all of the doctrinal teaching of the various sects,
who are attempting to save your souls.

When I arrived in the Cook Islands I found that which was called a
Government: but it was a government in name only. It had neither functions
nor head quarters, it did not even own a dog kennel. No public works of
utility had ever been undertaken, and your public business was transacted
by a private firm. All of these things may have been unavoidable at the
time, but it was my good fortune to arrive here about the period that the
Native people had decided that the old want of system should no longer
continue, and the island government become a fact instead of a laughable
comedy.

You may not perhaps know it but when I assumed direction of the
affairs of the group there was not a penny in the treasury, and nothing
whatever to show for the taxation imposed and collected. There were in­
deed many things that required alteration, and some few of them have been
altered and amended, thanks to the hearty cooperation of the chiefs and
people of the Islands. I will again say that whatever may have been done
during the past ten years is due to the cooperation of the Arikis and others
and I am anxious that this fact should not be forgotten.

It may fairly be claimed that we have done a good deal for the Group
during the past ten years.

We have erected good and permanent buildings in which the work of the
Government is carried on by half a dozen paid officers at a minimum cost to
the Group.

We have laid on the water from the mountain to each house in Avarua
village, so that you have no longer to drink the tainted drainage of the
old lagoon bed, and in Aitutaki we have initiated a system of concrete tanks,
that will in a measure make up for the want of running water in an island
where cleanliness has hardly been possible until lately.
In Rarotonga about £2000 has been expended on seven concrete bridges, in order to facilitate the transport of fruit and copra to the port. The Union Steamship Company have performed their part of the work by furnishing a complete and extensive system of sheds. There was perhaps a time when you were not too well treated in the matter of ocean transport, but you have nothing to complain of now. Ten years ago your produce from the whole group and Tahiti did not fill the Ovalau; but now you have a two thousand ton boat on both the Wellington and Auckland lines. In other words you have increased your exports three fold and the Union Company, aided by the Government of New Zealand, have recognised your efforts and provided you with the transport you have deserved.

In Mangaia we are trying to open a boat passage through the reef at a possible cost of over £1000. Whether or not this passage will be of any value to the people when finished I cannot say, but we intend to prove the possibilities of the work, for John Ariki and his people have offered to give gratuitous labour to clear the channel of the loose rock, and display great interest in the work.

In compensation for land taken for public purposes and in useful Public Works, no less than eleven thousand pounds has been expended in ten years.

The first in importance of all of the work that we have carried to a satisfactory conclusion is however the survey and definition of the titles to the lands owned by the Natives. The position was such that no man could be certain that the lands of his ancestors would descend to his children, one half of the population was actively engaged in robbing the other half, and no man dared to plant or improve the land supposed to be his lest he should arouse the jealousy or cupidity of other powerful families. This lamentable state of things has now passed for ever. It can never return, for the owners have been ascertained and their names registered in the books of the Court, with the result that it will be the duty of the Court to see that the children of a deceased owner succeed to his interest to the exclusion of all others, and that failing heirs of his body that the nearest of kin shall succeed. The whole of the lands of Rarotonga and of Aitutaki have now been awarded to the real owners and surveyed in small sections so that little remains to be done on the two islands mentioned. Good work has also been done both at Aitutaki and at Rakahanga and more remains to be done in order to put an end to the ill feeling of the people of the Northern islands towards each other.

Financially the Group is in a very sound position, for not only do we owe nothing, but we are in a position to carry on all reasonable public works, and yet retain a surplus of over £5000 to enable us to meet any unexpected loss of revenue that may arise by reason of hurricanes etc. For the aforesaid progress we are justified in claiming a certain amount of credit, but it is as well to remember that so much remains to be done, that we shall be wise to postpone the expression of our satisfaction.

The most serious of all the many problems with which the Government of these islands is confronted, is that of the public health. At Aitutaki a thorough medical examination has been made by Dr Yentes, and his report though true enough is not pleasant reading to those who have the interest of the Maori at heart. Fortunately not all of the islands are as unhealthy as Aitutaki, but it cannot be said of any island that they are healthy or increasing in numbers. It can however be predicted with perfect safety that unless the people of each island alter their habits they will die out within fifty years.
The great difficulty with which the Government has to contend is the tenacity with which you all cling to your old habits. In these days of new and dangerous diseases, you still behave as though your Native tohungas had to deal with the old Maori ailments. If you do call in the resident medical officer, you give him no chance, for you do not carry out his instructions. It was only last week that Doctor Yeates found a woman suffering from a most deadly disease, and warned her children and friends to have her removed at once from the locality, as the only known means of saving her life; but with the usual brutality of the Natives towards their sick relatives they preferred to see her die. Will you never understand that medicine alone will not cure any disease; all that it will do at any time is to aid nature. As for your ignorant tohungas they are more dangerous to you than any disease; you all know that Tavita Mean was murdered by a tohunga who ought to have been hanged.

It is the very wet season combined with heat and overcrowding that has brought about the outbreak of fever in Arorangi, and I tell you if you do not declare war upon dirt, flies, and mosquitoes, you will have to face diseases that you have not hitherto experienced.

Many of these islands are hotbeds of contagious disease, syphilitic and otherwise, and the promiscuous sexual intercourse among the young people is such that no one is free from disease. Do not forget that fleas, mosquitoes, dogs and pigs all spread disease in tropical countries, and you will do well to bury or burn all dirt and rubbish which will breed flies and drain all taro or other swamps that are in the neighbourhood of the villages. Let the parents keep some control over their children and report promptly to the Doctors those cases of contagious disease they are now so careful to hide. I recognise that if you are to be saved as a people it must be done against your own will. It is therefore my intention to bring in a most stringent health law to compel those suffering from disease to disclose the fact to the Medical officer, who may then isolate such cases if the nature of the disease demands it. The Government will drain such swamps as it shall think necessary, and the people will be required to keep their village lots clean and as far as may be in a sanitary condition.

My friends, the latter portion of my letter will show you that we have done very little, for we have not saved the people who should benefit by the little we have accomplished. We have now to fight the great enemies of man, disease and death, and we can do so and become as healthy as the people of New Zealand if you will only give me your aid. Already you have developed habits of industry and for that reason I have great hope of your future, for if a man will work he will be healthy in mind and body.

Your Friend,

W.E. GUDGEON
Address by Lt. Colonel Gudgeon to the people of Rarotonga, 31 July 1909
(from the Cook Islands Gazette, p. 385, 7 September 1909)

The following address to the people of Rarotonga is published in the Cook Islands Gazette under the instructions of Col. W.E. Gudgeon, C.M.G. (late Resident Commissioner of the Cook Islands) who desired same to be published after his departure

Address to the people of Rarotonga

After a residence of eleven years in these Islands I am now about to leave you, and it is a very great pleasure to know that I shall leave on terms of friendship with all those Maoris and Europeans whose opinion is worth having.

Since my arrival here we have seen many changes, the material prosperity of the people of these Islands has greatly improved, and there is now a better feeling among the various sections of the people than was the case in the year 1890. There is but one thing that annoys me, and that is, that I have lately heard that all sorts of tales are being spread, tales that are calculated to disturb the mind of the people. In many instances these tales are absolutely mischievous, and for this reason I am compelled to speak openly before you, in order to allay all apprehension in the minds of the people.

It has been represented to me, that certain people here have boasted that when I have left these Islands the Ngati-Uritaua are to be reduced to the position of vassals. My friend Captain Smith, who is about to succeed, does not know of these tales or how mischievous they are, and for that reason I speak to you openly. Understand once and for all that there never can be Tautuanga (vassals) under British rule, we have neither slaves nor vassals in the British Empire, and not even the Governor of New Zealand could reduce a man to this position.

I want you to understand that the old "akonoanga" (customs) have passed away for ever, excepting only the Aratiraoa (entertainment of visitors) and the Are Uonanga, and these two customs have been preserved to you by the mana of the Land Titles Court. To speak plainly, I may say that the power to do evil has been taken away from all of you, but the mana ariki exists in all matters that may be beneficial to the people. The arikis and elected members form the Council and are the governing power of these Islands, subject only to the Ariki-Tutara, which may be understood to be the law.

It is your duty to support your arikis in all proper things, but your chief duty is to support the law and its representative, Captain Smith; for he represents the Governor of New Zealand and the Parliament of that Dominion.
If any Mataiapo or chief below the rank of Ariki attempts to interfere with you, ask him boldly who he is, and whence he derived his power. Such men are not recognised by law, and off their own lands have no power.

I have heard some of you speak of Mataiapo Tutara (this talk is nonsense). If you are a Mataiapo of high rank you will be recognised by the people, and respected. Who is there here that denies the authority of Hoate, Makirau, Terei or others? Remember that a Mataiapo is the adviser of the Ariki, and he has no power apart from his Ariki, because it is a rank that is not recognised by law.

You are a self governing community, far removed from New Zealand, and you will never lose the privilege of self government so long as you deal justly with your people; but do not forget that they are subjects of King Edward, and under his protection; therefore you must be guided by his representative here. You will have a right to demand his protection, but he will certainly demand your obedience to the law.

I ask you to show the same kindly spirit to my successor that you have shown to me, and do not forget that Makea is the last of your old Ariki. Karika, Ngamaru, Tinomana and Maretu have passed away.

It is now expedient that I should speak to a man of this Island who has done much mischief in the past, but who is not altogether to blame for some of this mischief, since he has been the tool of one or two Europeans who have used him for their own purposes. Personally I have no feeling against Makea Daniela, but it is well that I should point out that he is so deeply distrusted by his own people that they are likely to distrust even those he is friendly with. They have by no means forgotten that it was his advice that ruined the good feeling that had existed between Mr Moss and the Ariki and people of this Group. It is also well known that whatever there may have been of trouble at Rakahanga and at Arorangi lately has been fostered by him.

I say these things in no unkindly spirit, but I would suggest that it is time that Makea Daniela ceased to interfere in matters of Government. He has now a new Resident Commissioner to deal with, a man who will stand no more nonsense than is absolutely necessary, and he will now be wise to abstain from all interference and assist Captain Smith in carrying out the numerous duties pertaining to his office.

I have already told you that I am sorry to leave you. It is very seldom that I have had anything to complain of during my eleven years' residence. I have met with much kindness from you, and much consideration, and I shall never cease to look back with pleasure on my years of residence in Rarotonga, and these words apply to the whole Group, from Pehrhy in the North to Ngakia in the South.

E. E. GUDGEON,

31st July, 1909