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INTRODUCTION

Politicians-in-Waiting?
The Case for a Popular Involvement in Agitation for Representative and Responsible Government In the Province of Wellington

1840 to 1853

In 2002, I completed my Honours degree dissertation entitled The Interposing Barrier: Perceptions and Expectations of the British Army in New Plymouth in 1855 and this thesis has come about as an indirect consequence of the ideas and historical situations I discovered whilst completing its research. During 1855, many colonists in New Plymouth had become extremely dissatisfied with the level of authority that was exercised by those officials whose job it was to protect the fledgling colony from the consequences of local Maori intra-tribal conflicts. An example of this was an express lack of confidence in the authority of Governor George Grey’s Resident Magistrates to administer an effective European style of law and governance to the ‘uncivilised’ and ‘lawless’ Maori population. Fears for the safety of New Plymouth and settlers in outlying areas, came to a head in 1855 during the Puketapu conflict where troops were requested in order to ensure this Maori conflict was not brought within the town limits or extended into an inter-racial war. Whilst many perceived that troops would be an active force of aggression to dissuade the proliferation of the conflict, the acting Governor, Colonel Robert Henry Wynyard, deployed elements of the 58th and 65th regiments to act in no further capacity than as an interposing barrier of peace keepers, the intent being to ‘over-awe’ Maori with their presence rather than by their action and prevent the involvement of Europeans in the dispute.

When beginning this thesis in 2003, I originally intended to re-assess Wynyard’s term as acting Governor, as he had been the butt of criticism not only for his relatively prudent actions regarding the deployment of these troops, but also on his refusal to make his own decisions regarding the implementation of responsible government into the newly formed General Assembly of the colony. It was this issue that dominated the Assembly’s first through to its third session,

and which eclipsed the importance of events in New Plymouth at the time. However, sources on the under-researched figure of Colonel Wynyard were scattered around the country and it quickly became apparent that such an exercise might be more suited to a researcher of better financial means. My research then led me to an assessment of the debate surrounding the issue of responsible government during these early sessions of New Zealand’s first Parliament, and subsequently to the origins of this debate, with the first attempts at agitation to have a representative and responsible authority established in the colony. A quote I used in my dissertation from the editor of the Taranaki Herald about the need for a representative form of government re-captured my interest and made me wonder just who was involved in agitation for a better form of government? The editorial stated:

You must agitate, as that is the fashionable word, til you get a pure representative government – no nominees – no toadies – but free, independent, honourable men of business who have talent knowledge and experience, to watch over your affairs, and who will resist the demands of despots in Downing-street.²

The quote implies that there were other attempts at governance that were seen as being somewhat less than ideal, and that only a pure representative government would do. Once that was attained, the editor here suggests that a single class of men were the ideal set of honourable and knowledgeable men to be the people’s representatives – men of business. In conducting my research, I wished to discover whether agitation was conducted for the benefit, or advancement of a single class of individuals, such as ‘men of business’, or whether agitation was more consistent with a popular movement, as there have been passing references made to a generalised ‘settler agitation for’ governmental responsibility in some past historical works.³ This thesis argues a case for the former, and asks were powerful ‘men of business’ merely ‘politicians-in-waiting’?

This thesis, therefore, examines agitation for representative, and subsequently, responsible government. It covers the period from the birth of Wellington; the earliest organised European settlement in the colony in 1840, through to the elections for members of the new Wellington Provincial Council

² The Taranaki Herald, 18 August, 1852.
³ For an example of these, see the literature review, which begins on page 3 of this introduction.
and the General Assembly. As Wellington figures so prominently in the ‘story’ of agitation for governmental advancement, and was the site of the first Settlers Constitutional Association, I decided to focus primarily on the population of Wellington and its provincial satellites rather than on New Plymouth. The principal question this thesis asks is, to what extent was there a popular involvement in agitation for representative and responsible government in the Wellington province? When using the term ‘popular’, this thesis intends it to describe a reasonable cross-section of society, that is, people from both the professional and working classes, and in this case, of Wellington’s European population. The principal intent, therefore, is to assess whether agitation was spread through a reasonable cross-section of people’s interests and backgrounds, to see if agitation was an action born of a largely universal and motivated desire for governmental improvements or whether Wellington’s situation was closer to the description offered by the editor of the Taranaki Herald, discussed previously.

An assessment of public involvement in the push to have representative and responsible government established has particular resonance in 2004, because that year marked the 150th anniversary of the establishment of the House of Representatives. This anniversary received extensive coverage on television, particularly by TVNZ, but very few people, including this author, were consciously aware of the occurrence. This milestone has been commemorated in John E. Martin’s excellent book, The House: New Zealand’s House of Representatives, 1854 – 2004. 2004 also marked another instance of a poor response in the local body elections. Public apathy in local body elections in the early 21st century is interesting when compared to the period this thesis covers, as in modern times enrolled electors have three weeks to decide on the candidates they wish to endorse before simply mailing their ballot paper away. In 1853, electors in Wellington had to attend two polling days during the week, and travel varying distances just to participate. Despite these obstacles, there was still a 70% turnout. This is a fact that Neill Atkinson noted in his work, Adventures in Democracy: A History of the Vote in New Zealand, published late in 2003 to celebrate the 150th anniversary of New Zealand’s first representative elections.

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He noted an increasing “public disillusionment with parliamentary politics and signs of increasing disengagement from the political process”\(^5\), in recent times.

Recent historical literature has also gradually become apathetic to political history, not just in New Zealand, but also within the profession around the world. For example, in conducting a survey of secondary literature on the early development of a European style of government in New Zealand, I noticed that the topic has surprisingly raised very little interest since the 1950s until very recently. In Neill Atkinson’s *Adventures in Democracy* these early observations were given some vindication. He also notes the lack of specific academic work done on early forms of government in New Zealand, as many modern historians from the 1960s onwards began to focus on social histories, rather than on what was seen as the histories of the deeds of ‘great men’. He noted, “the influence of these trends can clearly be seen in James Belich’s recent two-volume general history of New Zealand, which devotes comparatively little space to constitutional and political matters”\(^6\). This is a legitimate criticism. In *Making Peoples*,\(^7\) Belich’s stated aim was for the book to be a “stand alone work, describing the making of a neo-Britain”.\(^8\) One would think that it is necessary to make some form of analysis of what ideas of government - self or from ‘home’ in England – meant to our ‘two peoples’. Part of creating a neo-Britain would have been recreating British systems of law and governance, but Belich barely mentions them.

Atkinson and Martin’s books are the two most recent works on the history of politics and the political system in New Zealand. Of these, the government commissioned Martin’s, and Atkinson’s was printed with the assistance of the Electoral Commission and the Ministry for Culture and Heritage. Moving through the past, the next significant work focussing expressly on the early history of politics in New Zealand is A.H. McLintock’s *Crown Colony Government in New Zealand* published in 1958.\(^9\) This was also a

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\(^6\) Atkinson, p. 12.


\(^8\) Belich, p. 7.

Government commissioned work, but remains one of the central and most influential and important works on New Zealand history. It covers the period from early contact between Maori and Pakeha, up to the inauguration of the 1852 Constitution, but does not venture beyond this event. It therefore does not discuss the failed ministries between 1854 and 1856 when responsible government was finally established.\(^{10}\) Erik Olssen has commented on McLintock's work, stating, "McLintock took for granted that New Zealand was blessed to be British and showed how the democratic, practical and high-minded settlers compelled the Crown to...concede self-government."\(^{11}\) This perceptive criticism is perhaps indicative of the time period in which McLintock wrote - the post war period. W. P. Morrell also wrote a history on political development in the colony, entitled, *The Provincial System in New Zealand*,\(^{12}\) focussing on 'provincialism' particularly after the 1852 Constitution. Again it is a significant work on the period, but its focus falls largely outside the parameters of this thesis. This thesis differs from both McLintock and Morrell in specified topic, as an analysis of perceptions and understandings of what government should be prior to the 1852 Constitution, has not previously been done with a specific focus on agitation for political advancement or from the sole perspective of the province of Wellington. This point of difference enables significant events, like the pledge debate surrounding the Wellington Provincial Council elections of 1853, to be given deserved focus.

New Zealand had experienced a kind of awakening to the world as a consequence of participation in both World Wars and subsequent events, including the official adoption of the Statute of Westminster in 1947 and in 1951, the signing of the ANZUS security treaty independently from Britain.\(^{13}\) This period could perhaps be considered the 'heyday' for scholarship on the period of agitation for responsible government in New Zealand in the 1840s and 1850s.

\(^{10}\) This thesis also largely neglects this aspect of New Zealand’s history as it fell outside the set parameters of investigation for this research project.


For example, James Rutherford\textsuperscript{14} conducted a post-graduate programme in Auckland dedicated to research on this subject in 1949 entitled, \textit{The Development of Responsible Government in New Zealand 1839 – 1865}.\textsuperscript{15} His study guide included copies of significant documents and suggestions for honours students on the method of studying the period. Clearly it was a very popular subject in the post-war period. The three most relevant theses I studied which had already been done on the subject were completed in 1944, 1954 and 1957. Dorothy Ross wrote in her preface in 1944 that she wished to gauge the attitude of colonists to their new country and their government “in the period of evolution from six separate settlements into unity and nationhood as the New Zealand state.”\textsuperscript{16} This perhaps provides an explanation for the interest shown in the subject of responsible government during and after the war period, seen by many as the dawning of a feeling or understanding of an independent nationhood for New Zealand as being an entity separate from the ‘Mother-Country’ of England. Thus the study of the development of a Democratic process, and free elections in the colony was seen by some as being highly attractive.

Of these three theses, Cuthbert’s \textit{The New Zealand Claim for Responsible Government 1841 – 1854}, published in 1954 on the 100\textsuperscript{th} anniversary of the inaugural session of the House of Representatives, provides the best information for the modern reader.\textsuperscript{17} The first section provides an excellent overview of the theory of responsible government, as propounded by the Colonial Reformers in England. This thesis differs from Cuthbert’s in that it is looking not just at responsibility, but also representation, from the perspectives and differing understandings of Wellington colonists rather than the distant policy theorists ‘at home’ in England. Another example of this difference is that although Cuthbert comes to a similar conclusion as drawn in this thesis, that there was a lack of widespread interest in responsible government at the time of the 1853 elections,

\textsuperscript{14} Rutherford is the author of several books on New Zealand history covering a breadth of topics including a biography of Governor George Grey. 
\textsuperscript{15} J. Rutherford, \textit{Select Documents Relative to the Development of Responsible Government in New Zealand, 1839 – 1865} / Prepared for the use of History Honours Students in the University of New Zealand, Auckland University College: Auckland, 1949. 
stating that there was “no popular enthusiasm worth talking about, and that Clifford’s claim that Responsible Government was the ‘demand of a united people’ was a mere oratorical flourish”\textsuperscript{18}, responsibility was the central issue at hand for those who stood as candidates for office in the new institutions. This thesis stands apart from these older theses in that it focuses on one region of the colony – Wellington – and thus follows the ‘story’ of agitation for representation and responsible government through to a logical conclusion. In addition, this thesis focuses on the concept of agitation for these institutions from the perspective of New Zealand colonists, rather than solely on the theories themselves from the perspective of the ‘ideas men’ in England.

Despite the limited number of specific works on New Zealand’s early political history published in recent times, some general works have included chapters on this side of New Zealand’s Pakeha centred history, which Belich has chosen to overlook.\textsuperscript{19} As general histories, the sections on political development in New Zealand are necessarily brief, however, an unfortunate consequence of this is that the subtleties of involvement are blended together under titles such as ‘the colonists’ or ‘the settlers’ who are often described as a united ‘they’. Raewyn Dalziel’s contribution to the \textit{Oxford History of New Zealand}, ‘The Politics of Settlement’\textsuperscript{20} epitomises this trend but makes several points that are also illustrated in this thesis: that members of the Constitutional Association were generally wealthy as few men had the time or money to devote to public office and this is perhaps why some elections were not hotly contested, provincial elections aroused a greater level of interest than the general elections and that there was an air of general apathy with the political process that seemed to be the bent of a small group of men.\textsuperscript{21} However, Dalziel largely ignores the importance of Wellington to this chapter in New Zealand’s political history, instead focussing on Otago, Canterbury and Auckland as the centres of the ‘campaign against despotism and irresponsible government’.\textsuperscript{22} It is also

\textsuperscript{18} Cuthbert, p. v.
\textsuperscript{22} Dalziel in Rice, \textit{Oxford History}, p. 91.
interesting to note that despite some general histories overviews of the development of politics in New Zealand, the *New Zealand Journal of History* has not significantly contributed to providing more focused and detailed articles on the subject.

There are two works which have been of vital importance to the completion of this thesis, A.H. Birch’s *Representative and Responsible Government: An Essay on the British Constitution*,23 and M.K. Watson and B.R. Patterson’s *A Mirror of early Colonial Society: Reflections on the 1842 Wellington Municipal Corporation Election*.24 Both these works contributed significantly to the ideas discussed in this thesis. Birch’s work on the subtleties of interpretation inherent to the words ‘representation’ and ‘responsibility’ informs the majority of section one of chapter one. It was the only book found that dealt with this problem in any rich or in depth way, and was highly valuable despite its relative age. Watson and Patterson’s complex mathematical analysis of the Municipal Council elections informs a great proportion of the third section of chapter two.25

In terms of primary sources, the government publications were of course highly valuable, including the *British Parliamentary Papers on New Zealand*. The *New Zealand Gazette*, which provided the vital electoral rolls for the Wellington Province from 1853 to 1855; the *Wellington Provincial Council Acts and Proceedings* and the *New Zealand Parliamentary Debates* for 1854 – 1856 were also very useful in providing information on politician’s ideas on responsible and representative government. However, by far the most valuable source has been the variety of newspapers in the province, including, most prominently: *The New Zealand Colonist and Port Nicholson Advertiser, The New Zealand Gazette and Britannia Spectator, The Wellington Spectator and Cook’s Straits Guardian*, and *The Wellington Independent*. The newspapers of this time tended to be provincial in their outlook and seldom discussed topics of interest

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25 Also of great value to this section was A.H. Carman, *The Birth of a City*, Wright and Carman: Wellington, 1970.
with reference to consequences outside the province. In these early colonial
times, the province was the colony.

Using newspapers as a source does throw up some questions as to their
reliability as a source of information on public opinion. Newspapers tend to carry
a certain amount of bias towards one side of an argument, no matter how
altruistic they may aspire to be. This is especially true in Wellington during the
1840s and 1850s. There was a trend in Wellington of having two opposing
newspapers that were opposed no matter what the issue, even if one changed
sides the other seemed to do so as well merely in order to maintain the status
quo. During the height of activity in the Settlers Constitutional Association the
two opposing newspapers displayed their most prominent bias, each supporting
one of the two political factions in operation in the province. This thesis deals
with this problem by recognising and discussing that bias. The Wellington
newspapers of this period should only be seen as a window into publicly
proliferated opinion in the province. Even if the newspapers did not have a
popular distribution or readership, it seems unlikely that a popular majority of
Wellingtonian’s would have been able to escape the proliferation of discussion of
the issues raised in these newspapers. In order to achieve this thesis’ aim of
gauging the extent to which there might have been a popular involvement in
agitation for the initiation of representative and responsible government, an
analysis of motivation is required in order to assess who in the community felt
failed and was prompted into action. Therefore, perceptions, understandings and
expectations on ideas of government expressed in the newspapers are a vital
element that can be tested against the only measurable component available;
election results.

The importance of the history of politics should not only be recognised on
the eve of some arbitrary numerical anniversary or milestone. It is necessary to
rediscover the importance of the history of politics, or at least societies differing
opinions, ideas and perceptions of the governing authorities in their lives, and
reintegrate it into the valuable contributions made to the understanding of our
past made by socially focussed historians.

As previously stated, the principal question this thesis asks, is to what
extent was there a popular involvement in agitation for representative and
responsible government in the Wellington province? The key to assessing an
answer to this lies in uncovering the motivating factors that lay behind any desire to agitate for representative and responsible institutions, from the perspective of Wellington’s European settlers. Thus, if the motivation for agitation can be discerned, these factors can be compared with the backgrounds of the agitators to see if a reasonable cross-section of the population participated. This motivational assessment is facilitated by two parallel sets of questions spread throughout the thesis, each consisting of three parts. The first set asks, what authorities were available to the people? What degree of responsibility did those authorities display? And, what degree of representation was available, and to whom in Wellington? Corresponding to these is a second set, consisting of three more explicit questions, which asked, what were the specific authoritative failures? Who in the community felt they had been failed? And finally, what were some of the perceived solutions to these authoritative failures? The thesis thus specifically focuses on the different forms of representation and responsibility present in the authorities of Wellington, and assesses their quality, or degree to which they were fully representative or responsible, in order to gain an insight into the governmental problems the European people in Wellington perceived as being the root cause of problems in the community.

The first step towards achieving this aim is to provide a background to political ideals prevalent in the years immediately before the European colonisation of New Zealand, including a discussion on the different forms of understanding that could be expressed in the use of the words representation and responsibility. This is the subject matter of chapter one entitled, Background: Terminology and the Development of Ideas. It includes background on the development of such ideas as the ‘rights of men’ and Chartism, built on a backdrop of electoral reforms in England designed to stamp out patronage, virtual representation and rotten boroughs. These concerns were carried by colonists to Wellington, and they influenced political thought throughout the period of agitation for political development in their adopted country.

The aim of the second chapter, entitled Early forms of Governance: Prosperity Peace and Protection, 1840 – 1846, is to begin to make an assessment of the early forms of a European style of governance in Wellington, during this period. There were two principal forms of authority available for the new colonists – the New Zealand Company, and soon after the initial settlement, the
Governors of the Colonial Office of England. Each form of authority was seen by some individuals to have failed in its perceived duty to act responsibly for the benefit of the colonists. The Company was seen by many to have failed to deliver the promise of land, even to those who had already paid for it. The Governors were blamed for the slow progress on land claims by their investigation of the Companies purchases from local Maori, and were seen as a cause of friction between the new European population and Maori, especially in the Porirua and Wanganui districts. These early authorities were perceived by some in the community to have failed in their task to provide for the prosperity, peace and protection of the settlement of Wellington. The editor's of the newspapers lamented the poor degree of influence the colonists had in the governance of their own affairs, and blamed both the Company and the Governors for Wellington's lack of prompt progress and prosperity. This was the basis of discontent from which future agitators desire for full representation and governmental responsibility was born, the perceived lack of responsibility in providing effective means for protection and prosperity by the only authorities available in the new settlement of Wellington.

The third section of chapter two, entitled Tories, Whigs and Rads? makes an analysis of the self-imposed perception that Wellington's wider community was based on a three-tiered class division. These self-imposed labels were identified as: the wealthy, elite, or propertied class; the merchant or commercial interest; and the working, or common class. During the election of the failed Municipal Council in 1842, candidates stood on two tickets, one 'elite' and one 'working - class', with many 'moderates' standing on both, and was illustrative of the first political division within Wellington’s community. However, these labels were merely rhetoric, and were not an accurate description of the breadth of involvement in the election process of a significant cross-section of the community.

Chapter three, entitled Representation: A Way Forward from an Inadequate past 1846 – 1850, assesses some of the solutions offered to the perception of governmental failures as well as the representative quality of not only the available authorities but also the agitators themselves. It focuses on the period after the failed attempt at Municipal government, where the widely based three-tiered class system dropped out of favour, at least in the newspapers, as a
mode of describing the differences between the European peoples of Wellington. While these descriptions switched from socially based divisions and identifications, to politically based ones, the same problems of a perceived failure in the available governmental systems, and especially in George Grey, the new Governor, were apparent. However, agitation against them was from thereon in described as being factional. Two ‘sides’ were portrayed, the first was not organised, but was identified by their opponents as being ‘government supporters’, which for some developed into a negative connotation to describe those who were happy with the current form of government. Their opponents were the supporters of ‘liberalism’ and ‘freedom’, who made good use of the rhetoric of ideals in their promotion of representative and responsible governmental institutions as the panacea for the problems of security and stalled prosperity they saw as the greatest challenge facing Wellington at that time.

This chapter also analyses the details of the 1846 Constitution and concludes that many Wellingtonian’s concurred with the Wellington newspapers belief that it was a destructive distillation of power, which was overly complicated for the underdeveloped colony of that time, and at its worst provided a possibility of introducing into the colony old systems of political corruption, including patronage. The third major institution or solution to the problems of governance in the colony was introduced via Grey’s ‘procrastination fallacy’ which was an attempt to bridge the gap between the colonists of New Zealand and the distant figure of the Governor, and included the establishment of a Lieutenant-Governor in the southern province of New Munster, with its own legislative council made up of government officials and a small number of nominees hand picked by the Governor. The backlash against this was the motivator behind the formation of the Settlers Constitutional Association.

This period saw agitation for representative and responsible government become almost explicitly the preserve of what might have been earlier described as the merchant or commercial class, with a few of the old remaining ‘gentlemen’ or seasoned working class campaigners involved, and this is the subject of the third section of chapter three entitled, The ‘Soi Disant’ versus the ‘Solons’. This is shown through the construction of the only organised public body whose sole purpose was to agitate for these governmental changes, the Settlers Constitutional Association. The association consisted of a relatively
small percentage of the total male population and was not made up of a wide
cross section of the community. In addition, there was opposition from many
individuals, although of a smaller number than the numbers of the association
itself, who opposed their assumption of the role of being the peoples
representatives for this very reason. The Association, although the only
organisation formed explicitly to agitate for representation and governmental
responsibility, was only of a good representational quality in terms of its
behaviour.

Chapter four, entitled *Responsibility: A Question of Politics 1850 – 1853*,
assesses the period of the last years of Grey’s first Governorship of the colony as
anticipation for a new constitution built, assesses debate on the merits of the
Constitution of 1852, which begins to rage in the settlement’s newspapers. This
includes an assessment of the various understandings of what governmental
responsibility meant from both sides of the old factional divide. For example,
former members of the Settlers Constitutional Association, especially those who
sought office in the new institutions, believed responsibility would be secured by
making the office of the Governor immediately accountable to the people, by
creating the possibility of effecting his removal on a vote of no confidence by an
elected Assembly. Members of the newly reconstituted General Legislative
Council however, favoured having an Upper House of Legislature created via the
means of the Governor nominating members to it from among those the elected
house expressed confidence. Further confusions over the practicality and
meaning behind the term ‘responsibility’ in government centred on whether or
not the principal guaranteed the accountability of elected members to the
Assembly, or directly to the people. This centred on whether or not a Minister
should resign when confidence in him was lost by the people, or by the
Assembly. These differences in understanding became the principal focus of the
election campaign, which had its most interesting significance when former
Association members refused to pledge to resign on a vote of no confidence from
the people, preferring the opposing interpretation.

The third section of chapter four, entitled *An Apathetic Electorate?* makes
an analysis of the available data from the Wellington elections for members for
the Provincial Council and the General Assembly. While this data is limited, it
can be shown that there was a 70 to 80% turnout of those registered to vote in
these elections, and a projection can be made that a possible 70% of men in Wellington were eligible by age to be an elector registered to vote. What this section shows is that although the responsibility issue did not increase the level of involvement of the public in debate or agitation surrounding the proposed new governmental machinery under the Constitution, there was a high percentage of generalised, or widespread involvement in the event of the election for the first representatives in the province.

This thesis argues that the key motivating factor for agitation was a perception of a distinct lack in quality of security and responsibility manifested towards the colonists, offered by the available governing authorities. This fear, however, motivated a distinct class of men to action, and they were primarily concerned with the security of business interests and commercial development in the colony via the means of representation and responsibility, in order to gain a measure of control over these affairs. There is little evidence of any widespread public involvement in agitation for these governmental advancements, as a single association of men with similar business interests, rather than a cross section of Wellington’s societal make-up conducted most of the agitation. However, once representation was established, a good proportion of Wellington males did participate in the electoral process. Therefore, there was a limited extent of ‘popular’ involvement in agitation for representative and responsible government, but a large extent of ‘popular’ participation in these institutions once inaugurated.