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**HISTORY, LAW AND LAND:**  
**The Languages of Native Policy**  
**in New Zealand's General Assembly, 1858-62**



**Samuel D. Carpenter**

**2008**

**HISTORY, LAW AND LAND:**  
**The Languages of Native Policy**  
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A thesis presented in partial fulfilment of the requirements for the  
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**Samuel D. Carpenter**

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*to J. H. Wright*

## Abstract

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This thesis explores the languages of Native policy in New Zealand's General Assembly from 1858 to 1862. It argues, aligning with the scholarship of Peter Mandler and Duncan Bell, that a stadial discourse, which understood history as a progression from savage or barbarian states to those of civility, was the main paradigm in this period. Other discourses have received attention in New Zealand historiography, namely Locke and Vattel's labour theory of land and Wakefield's theory of systematic colonization; but some traditions have not been closely examined, including mid-Victorian Saxonism, the Burkean common law tradition, and the French discourse concerning national character. This thesis seeks to delineate these intellectual contexts that were both European and British, with reference to Imperial and colonial contexts. The thesis comprises a close reading of parliamentary addresses by C. W. Richmond, J. E. FitzGerald and Henry Sewell.

## Acknowledgements

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- p. 22 Christopher William Richmond, ca 1888, Ref. No. 1/1-013502-G, S. P. Andrew Ltd Collection (PAColl-3739).
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*Images courtesy Alexander Turnbull Library, Wellington New Zealand. Permission of the Alexander Turnbull Library, National Library of New Zealand, Te Puna Matauranga o Aotearoa, must be obtained before any re-use of this image.*

## Abbreviations

<i>AJHR</i>	<i>Appendices to the Journals of the House of Representatives</i>
<i>DNZB</i>	<i>Dictionary of New Zealand Biography</i> . All of these biographies have been accessed from <a href="http://www.dnzb.govt.nz/">http://www.dnzb.govt.nz/</a> , updated 22 June 2007.
HR	House of Representatives
LC	Legislative Council
n.	Footnote reference, usually being a reference to the accompanying text as well
[n.d.]	A publication/document with no date
<i>NZPD</i>	<i>New Zealand Parliamentary Debates</i>
ATL	Alexander Turnbull Library.

## Other

All references to an *An Encyclopaedia of New Zealand*, ed. A. H. McLintock (1966) have been accessed from <http://www.teara.govt.nz/1966>.

## Notes on Style

Capitalization/Quotations. For authenticity, the basic approach has been to leave capitalized the words capitalized in the debates. In the text generally however, for ease of reading, only a few words such as ‘Native’ have been spelt in upper case.

Spelling. Some words, such as ‘civilization’ I have consistently spelled with a ‘z’ rather than an ‘s’, including amending spelling within citations if necessary.