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**Ruth Ross**

**New Zealand Scholar / Treaty Scholar**

**A thesis presented in partial fulfillment of the requirements for the  
degree of Master of Arts in History at Massey University**

**Rachael Bell**

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In 1954 Ruth Ross wrote of balancing research with the needs of a young family: 'I go like mad for about six weeks, then I find the weeds are shoulder high, no one has any whole garments, and I've had it in more ways than one...'<sup>1</sup> To two people who know this process better than many I give my special thanks: to my children, Tom and Helen, for their patience, flexibility, humour and endless good faith.

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<sup>1</sup> Ross to Dora and Graham Bagnall, 16 November 1954, MS 1442 90:2, AR.



**ABBREVIATIONS**

AR	Auckland Museum and Institute Library
CMS	Church Missionary Society
DNZB	Dictionary of New Zealand Biography
NZJH	New Zealand Journal of History
WMS	Wesleyan Missionary Society
WTU	Alexandra Turnbull Library



## INTRODUCTION

In 1972 Ruth Ross presented an analysis of the Treaty of Waitangi that was to underpin interpretations of the Treaty for the next thirty years. Its purpose was threefold: to untangle the various instructions and translations that contributed to the drafting of the Treaty in 1840; to determine the intentions and understandings of the Treaty partners, Maori and Pakeha; to historicise the signing of the Treaty, thus returning an element of objectivity and distance to an event whose symbolism, she believed, had come to outstrip both scholarly understanding and documentary evidence. From 'Pakeha self-righteousness' to 'Maori disillusionment', she concluded, the Treaty of Waitangi had come to say 'whatever we want it to say'.

The impact of her paper was considerable. It was first presented as a seminar, then published in an expanded form as 'Te Tiriti o Waitangi: Texts and Translations' in the *New Zealand Journal of History*.<sup>2</sup> Its fine-grained analysis won the respect of the scholarly community and has gone on to inform a number of influential works, including those of Ranginui Walker and Claudia Orange. After more than thirty years in the Treaty debate it is still regarded as the 'most penetrating critique in recent times of the events surrounding the drafting and signing of the Treaty'.<sup>3</sup> The article also captured attention at the broader social level. At a time when, willingly or otherwise, an understanding of the Treaty of Waitangi was becoming increasingly requisite, Ross challenged New Zealanders' view of their past. With its provocative wording, her outspoken conclusion became a catchphrase in the argument over the role of the Treaty in New Zealand.

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<sup>2</sup> Ruth Ross, 'The Treaty of Waitangi: Texts and Translations', *NZJH*, 6:2, October 1972, p/129-154.

<sup>3</sup> Ranginui Walker, *Ka Whawhai Tonu Matou, Struggle Without End*, 2<sup>nd</sup> Edition, Auckland: Penguin Books, p. 90.

Ross' article was in many ways a turning point in Treaty scholarship. It insisted on the text in Maori as a being the Treaty of Waitangi. This moved the focus from the Colonial Office, which had dominated earlier studies, and asked instead what the Treaty had meant here, in New Zealand, a country still only sparsely populated by non-Maori inhabitants. In its criticism of the documentary sources, emphasis on a New Zealand perspective and sceptical view of previous interpretations of the Treaty, the article was a fine example of the scholarship of the 'post-war' generation of New Zealand historians: historians who, in the 1950s, '60s and '70s, through their academic training and methodological consciousness, saw themselves as challenging the orthodox view of New Zealand history.

J.C. Beaglehole was a teacher and mentor of this generation. In his lectures and essays he presented a vision for the role of history in New Zealand society. Beaglehole was an empiricist. Like others in his group, he had learnt methods for the critical evaluation of documents while studying abroad and sought, on his return, to introduce them to New Zealand. With his interest in national consciousness and the emergence of a New Zealand tradition, he was also a nationalist. He envisaged an empirical history put to a national purpose. He sought to engage New Zealanders more closely with the past of their own country, to build a firm foundation from which they could move forward, confidently, to determine their future. Beaglehole saw his own generation of inter-war historians as being on the cusp of this change. It was the next generation, his students, Ross and others, who would carry it to fruition.

This thesis explores the relationship between this mode of nationalist empiricist history in post-war New Zealand and the formation of Ross' ideas on the Treaty of Waitangi. It posits the three decades between 1940 and 1970 as being a particular era in New Zealand historiography, something of a watershed between the amateur / journalistic histories that had preceded it

and the more complex interpretations of post-colonialism and post-modernism that followed. It was an era which retained a certain confidence in the attainability of historical 'truth' and a sense of moral obligation to 'set the record straight'. Ross' article, 'Texts and Translations', was the culmination of almost twenty years of scholarly development in this direction.

Beaglehole was a spokesman for the historical issues confronting post-war New Zealand. He was a close personal friend and a mentor to Ross. His essays have been drawn on in this thesis to form a model from which to view her methodology. The elements in the model were complementary, but also, to a certain extent, contradictory. On the one side there was empirical, or 'scientific' historical analysis, with its twin elements of heuristic and hermeneutic: the collation, critical analysis, and logical interpretation of documentary records. On the other was 'tradition', Beaglehole's term for the cultivation of a new historical understanding at the level of a 'felt' national consciousness. Empiricist history informed the tradition but needed in itself to be transformed in the process. The balance between these two elements could be adjusted according to the historical medium and the intended audience.

Ruth Ross' work on the Treaty of Waitangi fell into three distinct phases. The first was between 1954 and 1957 when she was preparing an introduction for a reissue of the Treaty facsimiles for the Government Printer. The second was writing on the Treaty at a popular level, first in a Primary School Bulletin in 1958 and later in an article for *Northland*, a small local magazine, in 1963. The third was the seminar paper presented at Victoria University in February 1972 and her article 'Te Tiriti o Waitangi: Texts and Translations,' published later that year. Viewed collectively these pieces are an example of Beaglehole's model in practice. An examination of each of these phases in relation to a particular aspect of the model forms the structure of this thesis.

Chapter One examines the model itself and the interrelationship that Beaglehole envisaged between empiricist history and a national tradition. It then places Ross in relation to Beaglehole, and considers the ways in which some of her early work under his influence at the Historical Branch of Internal Affairs impacted on her later Treaty scholarship.

Chapter Two deals with Ross' first project on the Treaty, the introduction to the facsimile edition in 1954. Preparing material for the introduction involved a great deal of documentary research, locating and collating primary sources on the Treaty. The government archive was not sufficiently organised in the 1950s to support Ross at this level, which caused her eventually to call the project off. Her experiences on the facsimile introduction represented some of the issues around access to documentary sources that confronted empiricist historians in the post-war period. Her work at this time is discussed, therefore, in relation to the first element of empiricism in Beaglehole's model, the heuristic.

By the early 1970s, significant improvements to research facilities meant that many issues of heuristic had been resolved. In the highly charged social and political atmosphere surrounding the Treaty, however, understanding the meaning of the Treaty documents became a priority. Chapter Three examines the writing of Ross' seminar and article in 1972, with regard to the second element of empiricism, analytical and interpretative operations or hermeneutic. It uses the classic empiricist manual, *Introduction to the Study of History*, to trace the way in which Ross conducted her analysis of the Treaty text and which lead her to confront many of the popular beliefs about the Treaty.<sup>4</sup>

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<sup>4</sup> Ch.V. Langlois and Ch. Seignobos, *Introduction to the Study of History*, trans G.G. Berry, London: Duckworth, 1898.

The thesis concludes by considering the implications of Ross' research for the national tradition. The principal requirement of post-war history as Beaglehole presented it was that it should impact on the 'unconscious' level of national life, that people might benefit from a sense of heritage and belonging without being actively aware of its presence. It was important that the history that informed the national tradition should be, as much as was possible, empirically grounded, reliable. Chapter Four returns to Ross' pieces on the Treaty written for School Publications and *Northland* magazine. It examines the ways in which she incorporated her research findings into narratives for popular consumption that were engaging, but also challenging to the orthodox view of the Treaty. While some of these techniques were also apparent in 'Texts and Translations,' the article addressed the misconceptions surrounding the Treaty more directly, even aggressively. The final section of the chapter looks at the extent to which 'Texts and Translations' refuted the Treaty myth and the vehicles Ross used for conveying her findings to the general public.

This study of Ross has been informed by a number of sources. Foremost has been the personal correspondence of Ross herself, now housed in the Ruth Ross Papers at the Auckland Museum and Institute.<sup>5</sup> These ninety boxes of research material and ten of personal correspondence are a remarkable historiographical resource. Many of her correspondents, such as Beaglehole, Charles Brasch, Michael Standish, Graham Bagnall, Michael Turnbull, Janet and Blackwood Paul, and Keith Sinclair set the historical and intellectual tenor of New Zealand in the post-war decades. The letters of others, such as James K. Baxter, Sir Howard Kippenberger and Rear Admiral John Ross are interesting for the alternative perspectives they bring to well known New Zealand identities or public figures. This thesis is, it would appear, the first

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<sup>5</sup> Ruth Ross Papers, MSS1442 and 94 / 23, AR.



historical foray into these letters. The direction of its inquiry is only one of any number open to researchers using this material in the future.

Of secondary sources, the principal work to date on the relationship between the writing of New Zealand history and national consciousness is Peter Gibbons' essay, 'Non Fiction', in *The Oxford History of New Zealand Literature in English*.<sup>6</sup> Following from this has been the historiographical work of Chris Hilliard in his MA thesis, 'Island Stories', subsequent articles, and his review of government sponsored histories in the early to mid-20<sup>th</sup> century.<sup>7</sup> In his essay, 'A Prehistory of Public History: Monuments, Explanations and Promotions, 1900 – 1970', Hilliard discusses Ross' work on the Centennial Atlas while at the Historical Branch in the early 1940s. He notes the extent to which it pushed at the boundaries of academic history as they were at that time.<sup>8</sup> Parts of this thesis complement and expand Hilliard's observations in this respect. In addition, this thesis complements Grant Young's work on the relationship between the writing of New Zealand history and the development of research services in the post-war era.<sup>9</sup>

Several historiographical essays have dealt with J.C. Beaglehole's work as a model for history in post-war New Zealand. The Beaglehole Memorial Lecture

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<sup>6</sup> Peter Gibbons, 'Non Fiction' in *The Oxford History of New Zealand Literature in English*, 2<sup>nd</sup> Edition, Terry Sturm (ed.), Auckland: Oxford University Press, 1998, pp. 31-118.

<sup>7</sup> Chris Hilliard, 'Island Stories', MA Thesis in History, University of Auckland, 1997; 'James Cowan and the Frontiers of New Zealand History', *NZJH*, 31:2, October 1997, pp. 219-233; 'Colonial Culture and the Province of Cultural History', *NZJH*, 36:1, April 2002, pp. 82-93; 'A Prehistory of Public History: Monuments, Explanations and Promotions, 1900 – 1970,' in *Going Public: the Changing Face of New Zealand History*, Bronwyn Dalley and Jock Phillips (eds.), Auckland: Auckland University Press, 2001, pp. 30-54.

<sup>8</sup> Chris Hilliard, 'A Prehistory of Public History', pp. 39-42.

<sup>9</sup> Grant Young, "'The War for Intellectual Independence'?: New Zealand Historians and Their History', MA Thesis in History, University of Auckland, 1998.



at the conferences of the New Zealand Historical Association has prompted both W.L. Renwick and Jock Phillips to use Beaglehole's 1954 lecture, 'The New Zealand Scholar', as a starting point for their own addresses.<sup>10</sup> Their comments on Beaglehole have been incorporated into the discussion of his model in Chapter One. Renwick's essay, "'Show Us These Islands and Ourselves ... Give Us a Home In Thought,'" has taken the matter further and addressed Beaglehole's work directly in relation to Ross. Renwick establishes Ross as representative of the post-war generation and examines the ways in which her essay, 'The Autochthonous New Zealand Soil', brought issues of historical interpretation into a bicultural perspective. Renwick's piece on Ross is a direct precursor to this thesis and has influenced its direction. Hilliard's work views Ross at the beginning of the post-war era, Renwick's at the end. This thesis addresses the years of her scholarship in between.

The principal methodological work that informs the thesis is the 1898 text *Introduction to the Study of History*, by Charles Victor Langlois and Charles Seignobos of the Sorbonne. It has been used to provide the empiricist framework for Beaglehole's model and as a means of examining Ross' method of critical analysis of the Treaty texts. Although obviously dated by the time Ross published her article in 1972, there are a number of reasons for using this text. Firstly, it was seminal in its time as a 'manifesto' of empiricism, 'promoting the authority of historians and stating how descriptions of the past

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<sup>10</sup> J.C. Beaglehole, 'The New Zealand Scholar', in *The Feel of Truth; Essays in New Zealand and Pacific History Presented to F.L.W. Wood and J.C. Beaglehole on the Occasion of Their Retirement*, Peter Munz (ed.), Wellington: A.H. & A.W. Reed, 1969, pp. 235-252; W.L. Renwick, "'Show Us these Islands and Ourselves ... Give Us a Home in Thought'", Beaglehole Memorial Lecture, 1987', *NZJH*, 21:2, October 1987, pp. 197-214; Jock Phillips, 'Our History, Our Selves; The Historian and National Identity' *NZJH*, 30:2, October 1996, pp. 107-123.

should be written'.<sup>11</sup> It ran to a number of editions and was still used as recommended reading for university history courses at the time that Ross attended in 1939.<sup>12</sup> In choosing a textual approach to her work on the Treaty, Ross was deliberately returning to the standards and methods of this style of empiricism.

Secondly, the methodology set out in *Introduction to the Study of History* was one which Beaglehole, as a young lecturer returning from England in the 1930s, subscribed to. Its techniques were similar to those he taught in his papers, and echoed in his call for those who would 'learn to think historically', meaning critically.<sup>13</sup> Beaglehole endorsed the text in his own post-primary bulletin, *How History is Written*, when he quoted it directly: 'No documents, no history'.<sup>14</sup> It can be assumed, therefore, that the *Introduction to the Study of History* formed part of the grounding in empiricism that Ross received from Beaglehole and the 'scholarly standards he set [her] to aspire to'.<sup>15</sup>

Thirdly, as a manual of instruction, Langlois and Seignobos provided a detailed breakdown of empiricist technique: particularly hermeneutic, and the individual steps to be followed. It is a useful template of the methodology and

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<sup>11</sup> T.D. Shepard, 'Seignobos, Charles 1854 – 1942,' in *Encyclopedia of Historians and Historical Writing*, Vol. 2, Kelly Boyd (ed.), USA: Fitzroy Dearborn, 1999, p. 1081.

<sup>12</sup> J. Rutherford 'Selected "Suggestions to Honours Students on Method of Study of Documents of Responsible Government in New Zealand"', *Documents Relative to the Development of Responsible Government in New Zealand 1839-1865*, Auckland: University of New Zealand: 1949, p. 2.

<sup>13</sup> J.C. Beaglehole, 'History and the New Zealander', in *The University and the Community, Essays in Honour of Thomas Alexander Hunter*, Earnest Beaglehole (ed.), Wellington: Victoria University College, 1946, p. 105.

<sup>14</sup> J.C. Beaglehole, *How History is Written*, Post-Primary School Bulletin 1:8, Wellington: Hutcheson, Bowman & Stewart Ltd. for School Publications Branch, Department of Education, 1947, p. 119; although he qualified and extended his case to include also material remains; original quote, Langlois and Seignobos, p. 17.

<sup>15</sup> Ross to Elsie Beaglehole, 11 October 1971, MS 1442, 98:2, AR.

the critical groundwork which Ross felt New Zealanders, in their haste to apply the Treaty to their current situation, had failed to pursue. *Introduction to the Study of History* is a fascinating text and read completely it provides a valuable insight into the historical attitudes and assumptions of its era.

Works providing Maori perspectives on the Treaty and the colonising processes have included those by Sir Apirana Ngata, I.L.G. Sutherland, Ranginui Walker, Donna Awatere Huata and Linda Tuhiwai Smith.<sup>16</sup>

As this thesis is the study of a particular era of historical writing it has been couched, as much as possible, in the terms used by the historians of the time: Ross, Beaglehole and their colleagues. Not only is this important in establishing the argument and atmosphere of the work, but it also aids continuity between the referenced material and the discussion. For example, Beaglehole's gendered pronoun has been continued in the commentary to avoid disrupting modes of expression. Some of the terms that underwrite Beaglehole's model, however, were used in opposing ways, or in ways that are contradictory to their historical usage today. Some explanation, therefore, is required.

Beaglehole used the word 'conscious' in two ways with regard to historical thought in post-war New Zealand. Firstly he used it in the manner of a broad sense of identity on a national level, in the way of 'national consciousness'. Paradoxically, this form of awareness was, he believed, most effective when operating at what we would probably regard now as the 'subconscious', but which he termed 'unconscious', level. Secondly, he used it in relation to

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<sup>16</sup> Apirana Ngata, *The Treaty of Waitangi, an Explanation / Te Tiriti o Waitangi*, trans. M.R. Jones, New Zealand: Pegasus Press for the Maori Purposes Fund, 1922; Donna Awatere Huata, *My Journey*, New Zealand: Seaview Press, 1996; Linda Tuhiwai Smith, *Decolonizing Methodologies, Research and Indigenous Peoples*, Dunedin: University of Otago Press, 1999; Ranginui Walker, *passim*.

empirical method in the sense of historians' awareness of the historical process, a 'methodological consciousness'. In this respect the two usages were almost opposite, the one broad and subjective, the other focused and objective.

A second somewhat ambiguous term was 'criticism'. Criticism, in the sense of the analytical processes aimed at disassociating the historian from existing beliefs and objectively evaluating documentary sources, was the cornerstone of empirical method. Langlois and Seignobos spoke of the 'extreme complexity and absolute necessity of Historical Criticism'.<sup>17</sup> Beaglehole also referred to the need for conscious and deliberate objectivity: 'Our history must be unfolded by the trained – let me say it once more – the critical mind, and by great labour.'<sup>18</sup> However, post-war historians were also often critical, in the sense of censorious judgements of earlier more subjective histories. Ross was no exception in her propensity to criticise.

A third term in the model in contradictory usage is the term 'text'. When Ross used this term she was referring to the particular contemporary documents from which she was deriving her account of the past. She was not engaging with current concerns that all history is textual and all texts historical. Historical terms can thus change between generations and between contesting branches of the discipline.

One term that carried a particular loading in the post-war era, and has in many ways been problematic to this thesis, was that of 'professional historian'. History can be defined to mean 'writing about the past which claims factual

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<sup>17</sup> Langlois and Seignobos, p. 67.

<sup>18</sup> Beaglehole, 'The New Zealand Scholar', p. 251.

instead of or as well as, artistic 'truth'.<sup>19</sup> The term 'professional historian' could reasonably be applied, therefore, to anyone who wrote history for a living, including the amateur journalistic styled historians. More likely, however, 'professional historians' were seen as those operating within the universities or a government department, the Historical or War Histories Branch or National Archives, and who aimed in their work to supersede amateurs and journalists. The term 'professional' came to be synonymous with 'academically trained'.

It was, however, as Hilliard has suggested, a term 'best kept in quotation marks'.<sup>20</sup> In her work at the Historical Branch, Ross encountered many amateur and family historians whose research skills she felt matched those of her colleagues. Conversely, there were untrained historians in professional positions within government institutions, such as Sir Howard Kippenberger, whose technical capacities she severely doubted. It was 'still sometimes difficult in New Zealand to tell,' she noted while at the Branch, 'where one branch of the species ends and the other begins'.<sup>21</sup> For women historians such as Ross terms such as 'professional' were particularly problematic. Balancing their research with family commitments meant that much of their historical work was carried on outside professional institutions. Yet, as Mary Boyd has noted, the quality was often 'outstanding', and a bibliography of their collective contribution would 'run to many pages'.<sup>22</sup>

For Ross, the term 'academically trained' historian was more problematic still, as she transferred to the Historical Branch before finishing her degree and, in

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<sup>19</sup> Hilliard, 'Island Stories', p. 7.

<sup>20</sup> Hilliard, 'A Prehistory of Public History', p. 34.

<sup>21</sup> Memo, Guscott [Ross] to Heenan, 'Gisborne Trip', 18 March, Historical Atlas Material, MS 230, folder 8, WTU.

<sup>22</sup> Mary Boyd, 'Women in the Historical Profession: Women Historians in the 1940s', *Women's Studies Journal*, 4:1, September 1988, pp. 76-86, pp. 84-85.

the manner discussed in Chapter One, honed her research skills on the government archive rather than on postgraduate research. Her standards and knowledge, however, were formidable. Those challenging either were left in little doubt of her capacity for detail and analysis.<sup>23</sup> What linked the post-war group of historians, irrespective of their professional status, was their commitment to empirical technique and its application to New Zealand history. For this reason the terms 'empirical' and 'empiricist' have been used to describe and differentiate them in this thesis.

This thesis is not a biography. It is rather, to borrow a phrase from C.E. Beeby, the 'biography of an idea'.<sup>24</sup> Few aspects of Ross' personal life have been included other than those that impacted on her Treaty scholarship. The path of Ross' life was an interesting one, however, and to set the scene for her approach to the Treaty, a brief sketch is provided here.

Ruth Ross was born Ruth Miriam Guscott in Wanganui, on New Years Day, 1920. She attended, and was head prefect of, Wanganui Girls' College. Her father was a stock buyer and while accompanying him on his trips into the Wanganui hinterland, she balanced her urban upbringing with a feel for the bush and rural life. Based on these early experiences, Ross strongly refuted Beaglehole's view that New Zealanders were dislocated, belonging neither fully to Britain nor New Zealand, as he expressed in his essay 'The New Zealand Scholar'.<sup>25</sup>

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<sup>23</sup> See for example, Ross to Keith Sinclair, 10 August 1956, MS 1442, 91:1; Keith Sinclair to Ross, 17 August 1956, MS 1442, 91:1, AR.

<sup>24</sup> C.E. Beeby, *The Biography of an Idea: Beeby on Education*, Wellington: The New Zealand Council for Educational Research, 1992.

<sup>25</sup> Ross to Beaglehole, 22 September 1954, MS 1442, 24:5, AR.



Although not from 'what you would call a very intellectual household' she arrived at Victoria University College (VUC) in 1939, stylish, confident and as she later joked, 'obnoxiously' self-conscious.<sup>26</sup> She attended university until 1941. In 1942, without having graduated, she joined as a researcher at the Centennial, later the Historical, Branch of the Department of Internal Affairs. In 1945 she transferred briefly to the newly formed War History Branch where she met and married Ian Ross. Ian had been a journalist but retrained as a primary school teacher following the war.<sup>27</sup> Ruth and Ian had two sons. After living for some years in Auckland, Ian transferred to the Maori School Service and the family moved to Motukiore on the Hokianga Harbour in May of 1955.

Ruth was very happy in the largely Maori community at Motukiore. While she felt that as a family they were 'treading on egg shells' for their first year there, writing later of that time she said: '[A]ll four of us, I discovered ... look back on those years at Motukiore as a golden age. There was a grim side, a depressing side. But the people and the place, we all loved them.'<sup>28</sup> The years at Motukiore were also a particularly rich time for Ruth's scholarship. Most of her work on the introduction to the facsimile edition of the Treaty, and her School Publications work, including the bulletin *Te Tiriti o Waitangi*, was written there. Her essay, 'The Autochthonous New Zealand Soil' (1969), was a reminiscence of this time.

In 1960 the family moved to Rangitane School at Puoto, then to Oakura in Taranaki before returning to Auckland in 1964. In 1959 Ruth joined the Northland Committee of the Historic Places Trust. Over the many years of her association on local and national levels, she produced a number of small but

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<sup>26</sup> Ross to Beaglehole, 25 February 1955, MS 1442, 24:5, AR.

<sup>27</sup> Mary Boyd, 'Ross, Ruth Miriam, 1920 - 1982', *DNZB*, Vol. Five (1941-1960), 2000, pp. 451-2.

<sup>28</sup> Ross to Alan Mulgan, 23 June 1957, MS 1442, 91:1; Ross to Beaglehole, 22 November 1969, MS 1442, 96:3, AR.

meticulously researched publications for the Trust. Her work in this area could provide a rich basis for the study of another form of historical expression and of national tradition. From 1976 to '79, Ruth was the Arts Faculty Senior Research Fellow at University of Auckland. She died in 1982, survived by Ian and her two sons.

I would like to end this introduction on a personal note. Although the brief biography above must suffice for this thesis, the use of Ross' personal correspondence as the primary material for much of its argument makes it inevitable that her personality will shine through. As a scholar, Ross was principled and courageous. Indications are that she also was in her personal life - that it was a life well lived and one which she found rich and rewarding. 'Minor riches and small rewards perhaps,' she wrote, 'but I find them worthwhile and satisfying.'<sup>29</sup> To give one's papers over to public scrutiny is in itself a courageous act. Many of the issues discussed in this thesis were matters on which Ross felt particularly strongly. She dealt with them in her forthright manner, but not without humour or compassion. In as much as she issued criticism, she was prepared in equal part to receive it, usually with honesty and good grace. These elements of humour, compassion, honesty and grace are aspects of Ruth Ross that I hope to have conveyed in my text, and that some subsequent historian, as her biographer, will expose to a greater degree.

It is not easy to write about a strong and exacting personality: 'What with the vision of you standing over me supervising every note I write for Capt. Cook,' Beaglehole joked with her of his own work, 'and E. H. McCormick standing over me supervising every sentence of English prose, I lead a pretty miserable life.'<sup>30</sup> Writing this thesis has been a far from miserable experience,

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<sup>29</sup> Ross to Beaglehole, 25 February 1955, MS 1442, 24:5, AR.

<sup>30</sup> Beaglehole to Ross, 19 May 1957, MS 1442, 91:1, AR.



but in my own way I too have wrestled with Ruth Ross at my shoulder. I hope the picture that has emerged is of a person for whom, while I have not always agreed with her, I have great respect. That has been my intention.

## **CHAPTER I: A Model for Post-war History**

Ruth Ross met John Beaglehole on her first day at Victoria University College in 1939. He became her teacher, mentor, and friend for the next thirty years. '[I]n so far as I ever learnt to think', she wrote of him after his death, 'it was he who taught me.'<sup>31</sup> Beaglehole was a pervading force in New Zealand's historical community. This chapter looks at his vision for history in post-war New Zealand, which forms the broader context in which Ross developed as a historian. It draws on three of Beaglehole's essays written between 1940 and 1954 to examine his model of history as a science at the service of the community, and the inherent tension between scientific empiricism and developing a national tradition. The chapter then places Ross in relation to this model and outlines her understanding of the role of an historian and of history. It also considers the ways in which her early work under Beaglehole at the Centennial and Historical Branches of Internal Affairs influenced her later scholarship.

John Beaglehole was one of the earliest New Zealand historians to travel to England for doctoral study and return home to teach. In 1936 he was appointed to a lectureship at Victoria University College where, with Professor Fred Wood, he developed the History Department into a hub for the changes that occurred within the historical profession over the next decade. Beaglehole's education at London University provided an 'intensive grounding in [the] historical method and research' of scientific empiricism, and set the standards that he later advocated for New Zealand historians.<sup>32</sup> It was his association with the London School of Economics, however, that exposed him

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<sup>31</sup> Ross to Elsie Beaglehole, 11 October 1971, MS 1442 98:2, AR.

<sup>32</sup> T.H. Beaglehole, "'Home?'" J. C. Beaglehole in London, 1926 – 1929', *The Turnbull Library Record*, 14:2, October 1981, p. 74.

to the political and humanitarian vision of some of London's leading intellectuals. The Sunday afternoon gatherings at the home of Harold Laski may have been models for the discussion evenings and parties Beaglehole later held for his own students.<sup>33</sup>

On his return to New Zealand in 1932, Beaglehole was struck by the complacency of his homeland, where he found political and social life was 'not exactly encouraging to the free human spirit'.<sup>34</sup> He wrote and published widely. Through his essays he began to explore the New Zealand condition and to consider the role of history in New Zealanders' lives. Three essays in particular contained the nucleus of his ideas on New Zealand history, 'The New Zealand Mind' (1940), 'History and the New Zealander' (1946), and 'The New Zealand Scholar' (1954). For this reason, they have been used to construct the model which informs this thesis.<sup>35</sup> Read together, these essays suggest a remarkably consistent picture of the Pakeha cultural outlook over the middle decades of last century, of a people beginning to outgrow their emotional colonialism, and the potential to fill the void of receding imperialism with an honest and balanced account of New Zealand's past.

Beaglehole saw New Zealand in the process of developing a sense of independent nationhood. This was manifesting itself in many aspects of society at the time; the works of artists, writers such as McCormick and

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<sup>33</sup> See T.H. Beaglehole for a description of Laski's gatherings, p. 75.

<sup>34</sup> J.C. Beaglehole, 'The New Zealand Scholar', in *The Feel of Truth, Essays in New Zealand and Pacific History Presented to F. L. W. Wood and J. C. Beaglehole on the Occasion of Their Retirement*, Peter Munz (ed.), Wellington: A. H. & A. W. Reed for the Victoria University of Wellington, 1969, pp. 237-52, p. 243.

<sup>35</sup> J.C. Beaglehole, 'The New Zealand Mind', *The Australian Quarterly*, 12:4, December 1940, pp. 40-50; J.C. Beaglehole, 'History and the New Zealander', in *The University and the Community, Essays in Honour of Thomas Alexander Hunter*, Earnest Beaglehole (ed.), Wellington: Victoria University College, 1946, pp. 98-124; J.C. Beaglehole, 'The New Zealand Scholar', *passim*.

Sargeson and in the Centennial Surveys, for example.<sup>36</sup> Scientific history was, he felt, to be put to this service. To develop a sense of nationhood it was necessary for a people to engage actively with their past.<sup>37</sup> An understanding of a collective history contributed to an individual's sense of place and time, to the notion of citizenship, and to national cohesion and security. In the context of New Zealand, it could provide 'individuality and self reliance to a very small nation in a very complicated age.'<sup>38</sup> Beaglehole believed that, individually and collectively, self-knowledge, was historical knowledge; the 'one sure preliminary' to national feeling and a 'permanent individual existence for a people'.<sup>39</sup> 'Unavoidably, inevitably, deliberately or unconsciously,' he wrote, 'we use history to understand ourselves.'<sup>40</sup>

Beaglehole called this national historical knowledge 'tradition': by his own admission it was 'a peculiar thing'.<sup>41</sup> It constituted a cultural legacy, but it was not constant, it waxed and waned, as he put it, 'under the treatment of men'.<sup>42</sup> On the one hand it was spontaneous and unconscious: 'Its strength is, precisely, that it is not concerned with itself, that it grows without fuss into a pattern of life.'<sup>43</sup> On the other, it was open to manipulation, to be taught, weeded, created or strengthened, 'rewoven with quite exciting new strands'.<sup>44</sup> Tradition derived from a quest for the essential on a national level. While left to its own devices it tended to settle upon somewhat inappropriate symbols to express that desire, in the right hands it could represent a powerful tool for

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<sup>36</sup> See for example, Stuart Murray, *Never a Soul at Home: New Zealand Literary Nationalism and the 1930s*, Wellington: Victoria University Press:1998.

<sup>37</sup> Beaglehole, 'History and the New Zealander', pp. 109-111.

<sup>38</sup> Ibid., p. 111.

<sup>39</sup> Ibid., p. 110.

<sup>40</sup> Ibid., p. 107.

<sup>41</sup> Beaglehole, 'The New Zealand Scholar', p. 249.

<sup>42</sup> Ibid., p. 250.

<sup>43</sup> Ibid., p. 249.

<sup>44</sup> Beaglehole, 'History and the New Zealander', p. 107; 'The New Zealand Scholar', p. 250.

change.<sup>45</sup> 'If we are to profit from it', Beaglehole wrote in 'The New Zealand Scholar', 'to extract from its richness the maximum nourishment, we must discover it. It needs critical inquiry, conscious exploration.'<sup>46</sup> This was the role Beaglehole perceived for the historian in the New Zealand community.

'It is the scholar's job to make the tradition plain', Beaglehole wrote. 'As he disentangles our tradition, as he makes us conscious of ourselves, he gives us ourselves.'<sup>47</sup> The historian acted at the interface between history and tradition, as the rational and analytical mind behind the 'felt background' and fabric of a nation's daily life. To do this he needed both an awareness of his own place in society and the ability to distance himself sufficiently to determine the historical pattern. He needed, at one and the same time, to be in, of, and yet outside of the tradition.<sup>48</sup> Consciousness of the historical process, and the systematic analysis of historical evidence this required, were the tenets of scientific empiricism: the method of enquiry Beaglehole brought with him from his time in London and which he, and others like him now sought to foster within the New Zealand academy.

New Zealand had reached a stage, Beaglehole maintained, 'when one of its principal needs is a fine and disinterested critical integrity'.<sup>49</sup> The empirical method aspired to raise history from a literary art to an objective science. It was based on the study of documents, which it privileged above other forms of historical evidence. A series of analytical operations had been developed to separate the historian from both his own preconceptions and prejudices, and those of the documents' authors. The aim was to reduce historical evidence contained in the documents to a series of well-made observations

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<sup>45</sup> Beaglehole, 'History and the New Zealander', p. 118; 'The New Zealand Scholar', p. 250.

<sup>46</sup> Beaglehole, 'The New Zealand Scholar', p. 250.

<sup>47</sup> Ibid., p. 250, 251.

<sup>48</sup> Ibid., p. 250.

<sup>49</sup> Beaglehole, 'History and the New Zealander', p. 124.

ready for analysis in the manner of other more direct sciences.<sup>50</sup> It was a method, as he described it in his essays, of 'elaborate technique', requiring breadth of knowledge, patience, and the 'stringently trained power of unbroken logical thought'.<sup>51</sup> Beaglehole believed it was the role of the universities to foster these skills in their students, who would write the history of New Zealand for subsequent generations.<sup>52</sup>

Empirical document-based history entailed first an ability to find, restore, date, collate and verify the historical records. Langlois and Seignobos, influential guides to empirical research, called this heuristic (from the Greek word 'to find').<sup>53</sup> This procedure disposed of forgeries, corrupted copies, selectively edited versions and so on.

Secondly, they advocated analysis of the verified documents to determine what facts about past events could be derived from them, including 'facts' about intention and motive. As none of this could be taken directly off the document, it had to be inferred from close and critical reading. Such inferences had to conform to rigorous rules of logic and were the product of trained thought. For this reason Langlois and Seignobos referred to this process as the 'hermeneutic' (from the Greek word 'to interpret').<sup>54</sup>

It was with this understanding of historical method that Beaglehole and his peers approached their work. Langlois and Seignobos were not regarded as prescribers of method, so much as architects of the particular house of history from which Beaglehole's model for post-war history operated. Langlois and Seignobos extended their *Introduction* to the synthesising process, which

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<sup>50</sup> Langlois and Seignobos, p. 67.

<sup>51</sup> Beaglehole, 'History and the New Zealander', p. 106.

<sup>52</sup> Ibid., p. 124.

<sup>53</sup> Langlois and Seignobos, p. 18.

<sup>54</sup> Ibid., p. 64.

followed hermeneutic, proposing an austere objectivity and authorial disengagement right through to final exposition to the reader. However, Beaglehole sought to bring historical synthesis to a national audience, to generate a historical tradition in which all could 'feel' at home. For that reason, there was licence for some divergence from strict empiricism when it came to addressing the audience.

The heuristic in post-war New Zealand was in a poor state. The official archives in the 1940s and early '50s were shambolic. The collection and preservation of government records was of particular concern to New Zealand historians. Beaglehole took an active part in the long campaigns for the establishment of a national archive and library, couching them in terms of 'civilisation' and duty.<sup>55</sup> 'We have burnt our history with the same blind stupidity as we have burnt our forests,' he wrote in 1954. 'We have already permanently maimed our national life .... It is the plain duty of the New Zealand Scholar, among his other duties, not to rest until they are conserved.'<sup>56</sup>

Analytical operations, on the other hand, advanced more steadily. The critical analysis of documents was a defining characteristic of the post-war generation of academically trained New Zealand historians. While amateur historians had continued enthusiastically to collect and write up historical material, their unquestioning acceptance of historical 'fact' and belief that history could and would speak for itself had tended to result in a lack of analysis and the perpetuation of 'myths' and stereotypes. Hermeneutic operated from a position of mistrust and methodical scepticism, systemically criticising each

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<sup>55</sup> Grant Young, 'The Construction of National Storehouses of Knowledge in Post-War New Zealand, and the Difference Between History and Myth', *The Turnbull Library Record*, Vol. 35, 2002, pp. 61-70; J.C. Beaglehole, 'Why Archives?', *The New Zealand Journal of Public Administration*, 15:1, September 1952, pp. 9-16.

<sup>56</sup> Beaglehole, 'The New Zealand Scholar', p. 251.



document, eliminating points of error or opinion to deduce historical truth or fact. To Beaglehole and his colleagues, therefore, it provided an admirable basis for re-examining national history and for the construction of 'ampler and more adequate foundations' on which to build a tradition.<sup>57</sup>

Beaglehole envisaged that empirical method be applied to the broad sweep of New Zealand history: social, economic and cultural. Whereas poorly constructed national history could tend toward the vainglorious and the political, critical reassessment required the acceptance of failure as well as success.<sup>58</sup> He referred particularly to the shortcomings of the New Zealand Company, founding politicians, pioneers, and the resort to interracial warfare. An honest engagement with the past could free a people from the 'dead hand' of history and the weight of 'smugness and satisfaction'.<sup>59</sup> It allowed them to view themselves more completely, move forward confidently as a people, to progress. In 1940 Beaglehole regarded New Zealander's timidity, dependence on Britain and 'inadequate consciousness of self' to be the logical result of their incapacity or unwillingness to engage honestly with their history.<sup>60</sup>

By 1954, however, he believed he could see the seeds of a New Zealand tradition beginning to 'sprout' as the work of the Centennial, Historical and School Publications Branches uncovered and made explicit the rich patterns of New Zealand's life.<sup>61</sup> As the universities expanded and the archives and research libraries came slowly into being a new generation of New Zealand historians, academically trained, critical and pedantic, were beginning to make their presence felt. Ross was among this generation, mentored by historians such as Beaglehole and Wood, and working to the benchmarks they set.

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<sup>57</sup> Beaglehole, 'History and the New Zealander', p. 107.

<sup>58</sup> Ibid., pp. 109, 112-113.

<sup>59</sup> Ibid., p. 111.

<sup>60</sup> Beaglehole, 'The New Zealand Mind', pp. 48-9.

<sup>61</sup> Beaglehole, 'NZ Scholar', p. 248.



Ross began studying at Victoria University College in 1939, a time when history there was beginning to gain momentum. It was a time of particularly positive staff / student relations with fluid boundaries between academic and social life. Both lecturers welcomed students into their homes. 'We were the fortunate ones, I think', Ross later wrote, 'to have been around in more leisurely, less populous times; some of the details of those wonderful Beaglehole parties, ... the glow of being around people whose minds were so alive.'<sup>62</sup> While Ross saw Wood as the better teacher and more rigorous critic, it was Beaglehole who 'changed the quality of one's life and thought' and who proved to be the more enduring influence.<sup>63</sup>

Ross studied Beaglehole's undergraduate papers on the Colonial Office and the expansion of Europe. Although she left university before completing her degree, he maintained his influence by including her in his 'kindergarten,' the group of talented women graduates he employed at the Centennial, or as it was later, Historical Branch of the Department of Internal Affairs.<sup>64</sup> There were unprecedented opportunities for women in historical work as the male researchers left for war.

The contribution of Internal Affairs in establishing professional standards of history and in linking these to a national identity has been well documented.<sup>65</sup>

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<sup>62</sup> Ross to Elsie Beaglehole, 11 October 1971, MS 1442 98:2, AR.

<sup>63</sup> Ross to Ormond Wilson, 20 October 1971, MS 1442, 98:2, AR.

<sup>64</sup> Although Graham Bagnall in his obituary on Ross plays down Beaglehole's influence on her work at the Historical Branch, there is ample evidence of it in her personal correspondence. See for example Ross to Beaglehole, 25 February 1955, MS 1442, 24:5, AR. and Ross to Beaglehole, 22 November 1968, MS 1442, 96:3, AR. Bagnall's chronology regarding the Primary School Bulletin, *Te Tiriti o Waitangi*, and the commission to write the introduction for the facsimile edition of the Treaty of Waitangi is wrong. Graham Bagnall, 'Obituary; Ruth Miriam Ross, 1920 – 1982', *The Turnbull Library Record*, 16:1, May 1983, pp. 54-60.

<sup>65</sup> See for example, Anthony Booker, 'The Centennial Surveys of New Zealand, 1936-41', BA Hons Research Exercise in History, Massey University, 1983; Rachel Barrowman, "'Culture Organising':

In his capacity as Historical and Typographical Advisor to the Department, Beaglehole's vision permeated the workings of the Historical Branch. Ross began researching for the Historical Atlas, an ambitious Centennial project still underway when she started in 1941. As increasing numbers of the men departed, she became the 'virtual representative' of the project.<sup>66</sup>

Ross worked primarily in locating areas of European settlement prior to 1840. She was one of the first historians to access Old Land Claim (OLC) and Native Land Court records, with the wealth of information they contained on the pre-colonial and early colonial eras. In accord with Beaglehole's belief in the importance of place as part of the historical record, she also conducted research trips to the Wairarapa, Auckland, Northland, Gisborne and Maketu, to access primary documents and interview descendants.<sup>67</sup>

The Centennial Atlas was, as Hilliard has noted, a marked departure in New Zealand historiography.<sup>68</sup> The maps required the amalgamation of work by Maori, local and amateur historians and of academically trained researchers. For Ross, the Atlas, and the supportive atmosphere within the Branch, were opportunities to explore the possibilities of empirical method. She honed her research skills among the OLC and other government records, available for the first time. Collating this material with the information from private collections, she amassed a formidable catalogue of facts, including her

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Joe Heenan and the Beginnings of State Patronage of the Arts', *New Zealand Studies*, 6:2, 1996; Hilliard, 'A Prehistory of Public History: Monuments, Explanations and Promotions, 1900-1970' in *Going Public: The Changing Face of New Zealand History*, Bronwyn Dalley and Jock Phillips (eds.), Auckland: Auckland University Press, 2001, pp. 30-54.

<sup>66</sup> 'Memorandum for the Under-Secretary, Department of Internal Affairs', 6 April 1941, MS 1442, 90:1, AR.

<sup>67</sup> T.H. Beaglehole, 'Beaglehole, John Cawte 1901 - 1971'. *DNZB*, Volume Five (1941-1960), Auckland: Auckland University Press, p. 44.

<sup>68</sup> Chris Hilliard, 'A Prehistory of Public History' p. 39.

remarkable 'census' of early immigrants to the Bay of Islands in the 1820s and '30s.<sup>69</sup> In much the same way that this material formed the basis of her historical writing for the next twenty years, the research practices she developed working at the Branch set a benchmark for the 'impeccable' standards and professionalism that she maintained throughout her career, and which lead Keith Sinclair by the 1950s, to regard her as 'the sternest perfectionist in New Zealand'.<sup>70</sup>

Ross was exacting in her emphasis on primary documentary sources. Their assessment and analysis, she believed, set her generation of professional historians apart from the antiquarians and family historians with whom she worked. 'As one brought up to believe the original MS as sacrosanct', she shunned secondary interpretations and took pains to seek out and work with the most original material available. She was highly critical of James Cowan, and later Professor James Rutherford, for compromising the integrity of such documents in their work.<sup>71</sup>

In 1954 she embarked on an extended and acrimonious debate in *Landfall* with Sir Howard Kippenberger, Editor in Chief of the War History Branch.<sup>72</sup> Ross believed Kippenberger's poor scholarship and inadequate consciousness of empirical method had so altered the material presented in

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<sup>69</sup> Hilliard, 'Prehistory of Public History', p. 41.

<sup>70</sup> Keith Sinclair to Ross, 17 August 1956, MS 1442, 91:1, AR.

<sup>71</sup> Memo, Guscott [Ross] to Heenan, 'Gisborne Trip', 18 March 1943, MS 230, folder 8, WTU; Ruth M. Ross, *New Zealand's First Capital*, Wellington: Department of Internal Affairs, 1946, pp. 15 – 16, f.n.

<sup>72</sup> Ruth Ross, 'Review: Documents Relating to New Zealand's Participation in the Second World War, 1939 – 1945, Volumes I and II, Wellington: War history Branch, 1949 and 1951', *Landfall*, 8:4, December 1954, pp. 310-13.

his *Documents* series that 'no single document published [could] be accepted as a true copy of the original'.<sup>73</sup>

Ross carried this emphasis on original source documents with her into her subsequent research. While university teaching on the Treaty generally worked off a translation of the Treaty of Waitangi by Professor James Rutherford, it was her determination to identify and work from the original Treaty text which began her investigation into the drafts and copies discussed in Chapter Three.

While at the Historical Branch, Ross published a booklet from her Atlas research, *New Zealand's First Capital*. It was a micro-study of Hobson's purchase of the Okiato property in the Bay of Islands and described as an 'outstanding example of historical reconstruction' that demonstrated the possibilities of New Zealand's government archive.<sup>74</sup> But, this booklet was the only publication to arise from the Atlas research. For all the information she and her colleagues had provided, the Atlas remained unpublished and was eventually abandoned in the early 1950s. Differences in representation between cartographers and historians and difficulties in translating the wealth of detail into a visual form 'doomed the Atlas to incompleteness'.<sup>75</sup> The files remained stored at Internal Affairs, unknown to other historians and overlooked by librarians. They received neither the credit nor recognition that Ross felt were their due.<sup>76</sup>

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<sup>73</sup> Ruth Ross, 'Review: Documents', p. 311. See bibliography for subsequent publications in this debate.

<sup>74</sup> Graham Bagnall, 'Obituary: Ruth Miriam Ross, 1920 – 1982', *Turnbull Library Record*, Vol. 16, No. 1, May 1983, p. 56.

<sup>75</sup> Hilliard, 'A Prehistory of Public History', p. 42.

<sup>76</sup> Ross to Alan Mulgan, 11 April 1956, MS 1442, 91:1, AR.

The Atlas provided a valuable lesson on the limitations of empiricist technique that was not lost on Ross. Firstly, she came to believe that empiricist documentary research could, in practice, be 'incredibly narrowing'; shutting the historian off to the wider implications of their findings. Secondly, it showed her that facts alone did not make a history. Without interpretation and presentation they were of use to few people but the historian. The Atlas was an example of a tension inherent in the use of empiricism for the formation of national tradition and the scholarly yet popular forms of publication the Branch aimed to produce.

Beaglehole considered it an important test of an historians' ability to 'write about aspects of our culture in ways that were true to what had to be said and suitably adapted to the understanding of the readers for whom they were intended'.<sup>77</sup> Yet Jock Phillips, in reviewing 'The New Zealand Scholar,' noted these tensions within Beaglehole's own histories and observed: 'The historian, with a training in searching out the evidence, questioning received wisdom and appreciating complexity, does not find it easy to construct the simple myths which help define national identity.'<sup>78</sup> While Phillips believed Beaglehole had a 'significant impact' on the standards of historical practice, he found it doubtful if his major pieces on Cook, which were the product of several decades of meticulous research and amounted to four volumes in five parts, were at a level which had 'much influence at all upon New Zealand's sense of national identity'.<sup>79</sup> Beaglehole may also have recognised this: '...an important contribution to a silly sort of scholarship', he remarked to Janet Paul in 1951. 'It's a pity it doesn't matter more.'<sup>80</sup>

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<sup>77</sup> W.L. Renwick, "'Show Us These Islands and Ourselves ... Give us a Home in Thought": Beaglehole Memorial Lecture, 1987', *NZJH*, 21:2, October 1987, p. 203.

<sup>78</sup> Jock Phillips, 'Our History, Our Selves: the Historian and National Identity', *New Zealand Journal of History*, 30:2, October 1996, p. 112.

<sup>79</sup> *Ibid.*

<sup>80</sup> Janet Paul, 'Some Documents Recalling 1951', *Landfall*, No. 185, 1:1, April 1993, p. 27.

The documentary emphasis and methodological rigour of empiricism could tend toward elitism. In following up the leads from her research for the Historical Atlas and shaping them into material for the School Publications Branch, Ross was very conscious of the manipulation required to engage her young readers at the level of a felt tradition. Similarly with her early pieces on the Treaty, although she was uncompromising in her research standards and her criticism of the primary material, she was prepared in her presentation to make the accommodations necessary to write to the level of a general readership. The unused files of the Historical Atlas alerted her to the futility of doing otherwise.

For Ross, the third aspect of her Atlas work to impact on her Treaty scholarship was her exposure to Maori historical perspectives. In researching OLCs and Native Land Court Minute books, she encountered in the verbatim records of Maori claimants a remarkable counter-narrative to that of European settlement. In the manner characteristic of colonising histories, accounts of Pakeha pioneers in New Zealand were generally couched in terms of material and moral advancement. The Centennial publications contributed to this narrative.

In the OLCs, however, Ross read in the Maori testimonies a record of short dealings, frustration, and loss. Between the Maori and Pakeha claimants there were differences in perspectives on the meanings of place, time, and possession that amounted to very different ways of viewing the past.

Ross encountered these also in her field work, and in her discussions with Maori from different locations and backgrounds. She enjoyed immensely her time among Maori on the field trips. On occasion she interviewed elders who spoke no English, requiring 'three cornered conversations' with interpreters



and much patience and good humour on both sides.<sup>81</sup> She emerged with an understanding of what it meant to be on the outside of a language. She developed a strong respect for the 'sensible Maori mind'.<sup>82</sup>

These were essential influences on her later scholarship on the Treaty. The combination of her personal experience of translation, awareness of the often conflicting narratives of Maori and Pakeha experiences during the pre- and early colonial era, and her empirical emphasis on a document's language as the basis for critical analysis were fundamental to her approach and interpretation in researching the Treaty.

It is this respect in which Ross diverged most from Beaglehole's model for history and identity in the post-war period. Reviews of Beaglehole's lecture, 'The New Zealand Scholar,' by Bill Renwick and Jock Phillips have noted the conspicuous absence of Maori from his discussion of a New Zealand tradition. Beaglehole's 'natives' were New Zealand born Pakeha; the 'complications' of his age were Cold War politics, not the interracial dynamics of his own country. From this both Renwick and Phillips imply that Maori were absent from Beaglehole's view of New Zealand history entirely.<sup>83</sup>

A wider reading of Beaglehole's essays, however, shows this is not so. In both 'The New Zealand Mind' and 'History and the New Zealander', Beaglehole confronts the issue of the history of racial conflict and chides Pakeha New Zealanders for allowing this aspect of their past to slip 'so long, and so complacently' from the national tradition.<sup>84</sup> In 'The New Zealand Mind',

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<sup>81</sup> See for example, Guscott, [Ross] letter of thanks to Ruru Family, Maketu, 23 March 1943, MS 230 folder 8, WTU.

<sup>82</sup> Memo, Guscott [Ross] to Heenan, 'Gisborne Trip', 18 March 1943, MS 230, folder 8, WTU.

<sup>83</sup> Renwick, p. 201; Phillips, p. 111.

<sup>84</sup> Beaglehole, 'The New Zealand Mind', p. 49.

he explicitly cites the Maori 'renaissance' as an example of what a healthy engagement with a felt tradition can achieve:

'[I]t is the story above all of the utilisation, the working out, the logic of a tradition maintained with the tenacity of despair, realised anew with the tenacity of hope .... There is relatively little, in the realm of the spirit, that the European New Zealander, with his overwhelming preponderance in numbers, can place beside this, as an individual product of the joining of man to the land.'<sup>85</sup>

What can be said of Beaglehole's view of Maori in the New Zealand tradition is that he perceived two 'modes of thought' in New Zealand, parallel streams of tradition which, while they may at certain points meet, and 'increasingly, in certain matters, they may merge,' would remain separate for generations to come.<sup>86</sup> The continuing of the Maori tradition, Beaglehole believed, was 'for the Maori to do'; while he saw ample scope for the Pakeha historian to resolving for Pakeha New Zealanders the dissonance between a European heritage and a feeling for the land of their birth.<sup>87</sup>

For Ross, Renwick noted, 'relating ourselves to a broad Western tradition was not the issue'.<sup>88</sup> Ross felt no conflicting loyalties toward Britain and New Zealand, and grew increasingly frustrated at the 'intellectual bellyaching' which distracted New Zealand historians from issues crucial to both Maori and Pakeha understandings of their place in New Zealand society.<sup>89</sup> While it was implicit at all levels of New Zealand life that Maori would attempt to engage and understand Pakeha cultural practices and perspectives, she thought it

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<sup>85</sup> Beaglehole, 'The New Zealand Mind', p. 50.

<sup>86</sup> Beaglehole, 'History and the New Zealander', p. 113.

<sup>87</sup> Ibid.

<sup>88</sup> Renwick, p. 203.

<sup>89</sup> Ross to Beaglehole, 22 September 1954, MS 1442, 24:5, AR; Ross to Michael Turnbull, 23 September 1955, MS 1442, 90:3, AR.



equally important that Pakeha attempt to accept Maori viewpoints and history. A two-way integration, a meeting on equal terms was integral to Ross' view of the role of history; there was room within the one tradition for dual perspectives. So while Beaglehole, in handing Ross the commission for the facsimile introduction, had not, himself, envisaged a major reworking to include an analysis of the Maori text, he was not surprised when she chose to approach it from that angle. 'But of course I knew you'd hare off and rewrite the history of the Maori race and Pakeha – Maori relations before you finished', he teased her, 'and if expostulated you'd look down you nose and make some dirty crack about my historical / research standards.'<sup>90</sup> And actually she did.<sup>91</sup>

Ross' approach to her subsequent Treaty research was in many ways a reflection and an extension of her university education and her experiences at the Historical Branch. Fundamental to these had been the influence of Beaglehole and the methodological standards he had exposed her to. The remainder of this thesis looks at the development of Ross' Treaty scholarship, especially with regard to the relationship he sought between empiricist research and the creation of an authentic national tradition.

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<sup>90</sup> Beaglehole to Ross, 19 May 1957, MS 1442, 91:1, AR.

<sup>91</sup> Ross to Michael Standish, 26 June 1958, MS 1442, 91:2, AR.

## CHAPTER II: The Introduction to the Facsimiles

Ruth Ross' first commission on the Treaty of Waitangi came in June 1953 when John Beaglehole asked her to write an introduction for a reissue of the facsimile of the Treaty documents by the Government Printer. She had been 'playing about,' as she termed it, with the Treaty of Waitangi since her time at the Historical Branch. Her sceptical attitude was already evident in *New Zealand's First Capital* where she described Waitangi as the place which 'popular opinion has come to regard as the birth place of our history, a historical pre-eminence to which it could never justly lay claim'.<sup>92</sup> Beaglehole had encouraged her to set out her ideas in relation to the Treaty, however 'half-baked' she may have thought them. In her more positive moments she wondered if he hadn't talked the Government Printer into the facsimile edition specifically so that he could ask her to write them up.<sup>93</sup> (Less charitably, she was also inclined to believe he chose her principally to break the hold on the Treaty of James Rutherford and N.A. Foden and their extended debate over the acquisition of British sovereignty.<sup>94</sup>)

This chapter examines some of the issues Ross encountered working on the Treaty documents in the 1950s. It begins by surveying the preceding historical writing, and traces the factors that influenced her choice of direction.

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<sup>92</sup> Ruth Ross, *New Zealand's First Capital*, Wellington: Whitcombe & Tombs Ltd for The Department of Internal Affairs, 1946, p. 66.

<sup>93</sup> Ross to Elsie Beaglehole, 28 January 1973, MS 1442, 99:2, AR.

<sup>94</sup> See J. Rutherford, *The Treaty of Waitangi and the Acquisition of British Sovereignty in New Zealand, 1840*, Auckland: Pelorus Press for Auckland University College, 1948, p. 3; N.A. Foden, *Constitutional Development of New Zealand in the First Decade, 1839-1849*, Wellington: L.T. Watkins, 1938.

The principal challenges facing Ross' research in the '50s were heuristic - locating and collating documentary material on the Treaty.

Ross was free to write the introduction to the facsimiles any way she wished. She favoured a textual analysis, believing that previous historians had failed to examine closely enough the contents of the Treaty documents. This was particularly so with the Maori text which, as the document signed by those who ceded under the agreement, she believed to be the actual Treaty of Waitangi. This amounted to a radical reworking of both the documentary evidence regarding the Treaty and the assumptions that had been drawn from it. The project thus became, although inadvertently, an example of precisely the style of history Beaglehole had envisaged in his model for history in post-war New Zealand.

It was a difficult approach; 'the hardest possible road', Ross thought, to understanding the Treaty.<sup>95</sup> She worked on the introduction from 1954 to 1957 before abandoning the project. In these three years there seemed to be few rewards. The government archive was not sufficiently organised to supply the full range of documents she required, and, as her findings ran contrary to the teachings of the academy, such conclusions as she did come to did not seem particularly welcome. She believed an archivist needed to take up the work she had begun on the documents and felt, as an historian, that she could proceed no further until they did. While the project had not been a success, the ideas she developed during this period formed the basis of the article she wrote in 1972. She also worked them, in story form, into her Primary School Bulletin, *Te Tiriti o Waitangi*, in 1958.

Owing to its popular conception as New Zealand's founding document a considerable number of histories on the Treaty had been written prior to the

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<sup>95</sup> Ross to Dora and Graham Bagnell, 16 November 1954, MS 1442, 90:2, AR.

1950s. Many of them appeared dubious to Ross. '(W)hat a hell of a subject', she wrote to Beaglehole after her initial foray into the literature, 'The ground to be covered is appalling, the number of people who have already written on it are (sic) appalling, and what some of them have written is even more appalling.'<sup>96</sup> The works of principal interest to Ross were those of H.H. Turton (1877), T. Lindsay Buick (1914, with subsequent editions in 1932 and 1936), Sir Apirana Ngata (1922), and James Rutherford (1948). Ross thought Turton, as the editor of the original facsimile edition, had completed a 'useful and competent job'.<sup>97</sup> Along with the Treaty documents and their drafts, he had provided typescripts of the English version of the Treaty, the Maori text, copies of reports and letters of Hobson and of those he sent out to gather Treaty signatures. All extracts were retained in their primary form. No translation of the Maori text was provided, nor any major attempt made at analysis, apart from the act of selection itself, of the supporting documents. Other than his guarded comment that 'without some such agreement between the two races as was determined by "the Treaty of Waitangi", the Queen's authority and government would never have been so peaceably admitted and established in this country', Turton was prepared to 'leave these sheets to the scrutiny of all interested inquirers'.<sup>98</sup>

By contrast, T. Lindsay Buick's *The Treaty of Waitangi, or How New Zealand Became a British Colony*, was intended as a popular historical narrative.<sup>99</sup> It was an authoritative yet accessible account, relating the story of the Treaty with what Chris Hilliard has described as an air of 'literary statesmanship'.<sup>100</sup>

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<sup>96</sup> Ross to Beaglehole, 1 April 1954, MS 1442, 24:5, AR.

<sup>97</sup> H. H. Turton (ed.), *Facsimiles of the Declaration of Independence and the Treaty of Waitangi*, 2<sup>nd</sup> Edition, Wellington: R.E. Owen, 1960; Ross to Beaglehole, 2 July 1957, MS 1442, 91:1, AR.

<sup>98</sup> Turton, Preface.

<sup>99</sup> T. Lindsay Buick, *The Treaty of Waitangi or How New Zealand Became a British Colony*, Wellington: S. & W. Mackay, 1914.; 2<sup>nd</sup> Edition, 1932; 3<sup>rd</sup> Edition, 1936.

<sup>100</sup> Chris Hilliard, 'Island Stories, The Writing of New Zealand History 1920 – 1940', MA Thesis in History, University of Auckland, 1997, p. 70.

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Through its selection or omission of material it confirmed the notion of the Treaty as a symbol of 'Maori acceptance of British ways' and the 'wholesome mythology of "he iwi tahi tatou"'.<sup>101</sup> Although it was uncritical in its use of sources, several of which Ross was later to refute, it was the most comprehensive synthesis of historical evidence regarding the Treaty of its time, and continued as a reference text well into the 1970s.<sup>102</sup>

Buick's work both reflected and sustained the popular conceptions of the Treaty. It was of interest to Ross as a starting point and as the source of some possible leads. However, his lack of referencing 'drove her mad' trying to track down his material.<sup>103</sup> Buick's theme was the successful and peaceable acquisition of sovereignty. He was largely uncritical of the Maori text. In his original 1914 edition he had enthusiastically described William's translation as 'a perfect native reflex of the European mind, conveying in all probability a clearer view to the Maori of what the treaty meant than the English version has done to the average *Pakeha*'.<sup>104</sup> By the 1936 edition, which had been substantially reworked, he had moderated his praise: '...although its phrase *taonga katoa* fails clearly to specify the reservation of "forests and fisheries" which it includes under the general term of "other properties", it has stood the crucial test of time fairly well, and gives to the Maori as clear a view of what the treaty means as the English version has given to the average *Pakeha*'.<sup>105</sup> He continued to assert, however, as he had in 1914, that sovereignty had clearly been ceded through the Treaty, and that although the 'forms by which our sovereignty was exercised were doubtless new and strange to them',

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<sup>101</sup> Chris Hilliard, 'Island Stories', pp. 71-73. Hilliard is working from Buick's 1936 edition.

<sup>102</sup> Claudia Orange, *The Treaty of Waitangi*, Wellington: Allen & Unwin Port Nicholson Press in Association with Historical Publications Branch, Department of Internal Affairs, 1987, p. ix.

<sup>103</sup> Ross to Alan Mulgan, 22 June 1956, MS 1442, 91:1, AR.

<sup>104</sup> Buick, 1914, p. 92.

<sup>105</sup> Buick, 1936, p. 113.

Maori 'understood clearly enough that for the advantages they hope to reap from the treaty they were yielding much of their existing power....'<sup>106</sup>

To Ross, these were errors of judgement arising from poor scholarship. Despite his extensive use of primary material, often quoted in bulk, it was not until the third edition, when he had gained the assistance of Sir Apirana Ngata, that she thought he had begun to really look at the Treaty documents.<sup>107</sup> Ngata's translation had accounted for Buick's more critical assessment of the Maori text. However, the alterations appeared to be of minimal significance to Buick himself, who advised his readers in his preface that while some changes to the letterpress had been made in the third edition, 'in the main these are unimportant'.<sup>108</sup> Buick's narrative of the acquisition of sovereignty was essentially unaltered.

Ngata's own booklet, *The Treaty of Waitangi, an Explanation / Te Tiriti o Waitangi, he Whakamarama*, was published in 1922.<sup>109</sup> It was sponsored by the Maori Purposes Funds Board to explain the Treaty to the Maori people. It was interesting to Ross for a number of reasons. Firstly Ngata was the only historian to deal primarily with the Maori text. He aimed to clarify it from a Maori perspective and in doing so was openly, if only mildly, critical of its translation: 'The English expressions in the Treaty were not adequately rendered into Maori. There were minor parts left out.' This apart, Ngata maintained that the Maori text 'clearly explained the main provisions of the Treaty'.<sup>110</sup> Somewhat paradoxically, however, he continued to structure his

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<sup>106</sup> Buick, 1914, p. 227; 1936, p. 283.

<sup>107</sup> Ross to Ormond Wilson, 2 February 1972, MS 1442, 91:1, AR.

<sup>108</sup> Buick, 1936, p. xii.

<sup>109</sup> Sir Apirana Ngata, *The Treaty of Waitangi, an Explanation / Te Tiriti o Waitangi, he Whakamarama*, trans. M.R.Jones, New Zealand: Pegasus Press for the Maori Purposes Fund Board, 1922.

<sup>110</sup> Ngata, p. 2.



argument around the English terms, and their intended meanings, as the conditions the Maori signatories had agreed to.

Ngata explained the issue of *kawanantanga* and 'governance' in Article One of the Maori text in terms of British sovereignty: 'What is a "Government?" The English word is "Sovereignty". The English word for such a personage as a King or a Queen is "Sovereign". This is the same as the Maori words "Ariki Tapairu" and is referred to as the absolute authority.'<sup>111</sup> Similarly, with regard to *rangatiratanga* in Article Two, Ngata accepted it as being a close translation of sovereignty, but confined it to the concept of independent ownership, as intended in the English text: 'What is this authority, this sovereignty that is referred to in the second article? It is quite clear, the right of a Maori to his land, to his property, to his individual right to such possessions whereby he could declare, "This is my land ...."'<sup>112</sup> He interpreted the pre-emption clause in Article Two as the 'giving of the right to the Queen to acquire Maori land'.<sup>113</sup> While Ngata was critical of government land purchasing, he maintained that it was the policy of individual governments that was at fault and that 'the blame cannot be placed on the Treaty of Waitangi which laid down this basis'.<sup>114</sup>

Ngata's adherence to the English text was in line with thinking in his day and with his own general policy of 'co-operation within the parameters defined by the state'.<sup>115</sup> He emphasised Maori agency and expected Maori to take responsibility for their part in signing the Treaty. To his Maori readers he went so far as to conclude: 'If you think these things are wrong and bad then blame

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<sup>111</sup> Ngata, p. 5.

<sup>112</sup> Ibid., p. 8.

<sup>113</sup> Ibid.

<sup>114</sup> Ibid., p. 10.

<sup>115</sup> Ranginui Walker, *Ka Whawhai Tonu Matou, Struggle Without End*, Auckland: Penguin Books, 1990, p. 174.



our ancestors who gave away their rights in the days when they were powerful.<sup>116</sup>

The other historian to recognise discrepancies in understandings of the Treaty was Professor James Rutherford in his two published lectures, *Hone Heke's Rebellion, 1844-1846: An Episode in the Establishment of British Rule in New Zealand*, and *The Treaty of Waitangi and the Acquisition of British Sovereignty in New Zealand, 1840*.<sup>117</sup> Both were intended as part of a larger study of Maori political ideas that remained unpublished.<sup>118</sup> Of the two, *Hone Heke's Rebellion* dealt more directly with Maori interpretation of the Treaty. Rutherford noted that there was ambiguity surrounding the notions of sovereignty in Articles One and Two in the Maori text. He believed the concept had been poorly explained to Maori at the Waitangi signing, with insufficient emphasis given to the 'restraints and restrictions and responsibilities' it implied.<sup>119</sup> The term '*Kawana-tanga*' had been a poor translation of British expectations of sovereignty. Furthermore, Busby, as the principal role model available to Maori, had provided but a 'feeble and inadequate illustration' as precedent.<sup>120</sup> '*Rangatira-tanga*', on the other hand, seemed to Rutherford to be a 'far stronger term used ... to describe the authority they retained ... which taken literally seemed to imply that, on their own lands, the Maori chiefs would retain all their power, authority and "mana" as rangatira over their own people'.<sup>121</sup>

Despite these observations, however, like Ngata, Rutherford continued to couch his discussion in terms of the 'official English version' of the Treaty. He

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<sup>116</sup> Ngata, p. 16.

<sup>117</sup> J. Rutherford, *Hone Heke's Rebellion, 1844-1846: an Episode in the Establishment of British Rule in New Zealand*, Auckland: Auckland University College, 1947; J. Rutherford, *The Treaty of Waitangi and the Acquisition of British Sovereignty in New Zealand, 1840*, passim.

<sup>118</sup> Rutherford, '*Acquisition of British Sovereignty*', Preface.

<sup>119</sup> Rutherford, *Hone Heke's Rebellion*, p. 8.

<sup>120</sup> Ibid.

<sup>121</sup> Ibid.

recognised that there had been among the Maori signatories an 'undercurrent of real apprehension' and among the missionaries a 'certain amount of soft-peddalling on the subject of British sovereignty'. He stopped short, however, of suggesting 'deliberate double dealing'.<sup>122</sup>

Ross thought Rutherford's lectures were well done and well documented. (Foden's claims on the other side of the sovereignty debate she dismissed as 'fanciful notions'<sup>123</sup>). Her principal concern with Rutherford was the way in which his rough translation of the Maori text, created to the best of her knowledge by 'looking up nouns and verbs in a dictionary', had come to dominate, and mislead, academic interpretations of the Treaty.<sup>124</sup> Indeed, for want of any other, it was to continue as the accepted orthodoxy in university teaching until the 1970s.<sup>125</sup>

While Ross thought it important to use these earlier historians as starting points, none appeared to adequately address the discrepancies she saw in the Treaty. Through a lack of critical groundwork, or in pursuit of their individual arguments, all had missed, she thought, a fundamental point. While each acknowledged to a greater or lesser extent that there were gaps in understanding between the English and the Maori texts, all unquestioningly gave primacy to the English text. The Treaty was a document drawn by the British Crown. What the Crown had intended, they, therefore, assumed was what the Treaty had meant. Early in the course of her research Ross became convinced that the reverse approach to the Treaty was true; that it was the Treaty document as signed and understood by Maori that constituted the Treaty of Waitangi, irrespective of Crown intentions. Any consideration of the Treaty, Ross concluded, had therefore, to begin with the Maori text.

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<sup>122</sup> Rutherford, *Hone Heke's Rebellion*, p. 9.

<sup>123</sup> Ross to Beagelhole, 1 April 1954, MS 1442, 24:5, AR.

<sup>124</sup> Ross to Keith Sinclair, 8 May 1972, MS 1442, 83:4, AR.

<sup>125</sup> Ross to Keith Sinclair, 13 April 1973, MS 1442, 83:4, AR.

The emphasis Ross gave to the Maori text marked a significant departure in Treaty historiography. It became a signature of her scholarship and was, eventually, to become a broadly accepted academic view. In 1954, however, it required considerable working through. Empiricism, with its strong emphasis on documentary sources, can certainly account for her treatment of the Treaty text once she came to this decision, but not entirely for the decision itself. Rutherford for example, also an academically trained historian, examined the Treaty in some depth without coming to the same conclusion. To Ross it seemed to be matter of logic. There were, however, a number of other factors worth considering.

Firstly, Ross was aware of an alternative Maori view of the Treaty from her time at the Historical Branch. As discussed in Chapter One, researching Native Land Court records and OLCs for the Atlas had exposed her to a Maori perspective of early land transactions. Background experience of this sort was probably unusual among academic historians. Ross often used material from her Atlas research in her school publications and it influenced her approach to the Treaty also.<sup>126</sup>

Once she began research for the introduction to the facsimiles, Ross developed a network of Maori advisors. This gave her the confidence to pursue her alternative approach. 'Of course I could not have taken this course unaided', she wrote to Beaglehole of her decision to concentrate on the Maori text, 'and have had wonderful help from Mat Te Hau [sic] and Pei Jones particularly, and can tap Bruce Biggs and Maha Winiata.'<sup>127</sup> These people helped Ross with translations, read drafts, and discussed ideas. When she moved to the Hokianga in 1955 she recruited the help of local Maori. Life

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<sup>126</sup> For an example of this see letters Ross to Pei Te Hurinui Jones, 21 February 1955: Pei Te Hurinui Jones to Ross, 3 March 1955, MS 1442, 90:2, AR.

<sup>127</sup> Ross to Beaglehole, 19 April 1955, MS 1442, 24:5, AR.

away from the influence of the academy and in a largely Maori community encouraged an independent approach:

‘... for the two years I worked on the job , before turning it in,’ she wrote to Beaglehole, ‘I was working in a historical vacuum. I did discuss the matter once or twice, but only briefly, with Keith Sinclair. Otherwise Waitangi was a topic for unacademic conversation at home and with various Maori friends, some of them recognised scholars, others just the old men up here. It wasn’t until I went to Wellington [in 1956] that I was able to air my views to the historically informed.’<sup>128</sup>

Increasingly for Ross, studying the Treaty from a Maori perspective was not just one of a number of possible approaches, but, ethically and logically, the only one. It was a perspective she was determined to emphasise in her *School Bulletin* in 1958, the writing of which is discussed in Chapter Four. If, as Mohi Tawhai had predicted, the Maori view of the Treaty was to ‘sink like a stone’, and from her search for documents it appeared to her that it had, her network of Maori advisors made it at least possible to work toward re-establishing a Maori perspective of the Treaty text in academic scholarship.<sup>129</sup>

Ross found historical precedent for privileging the Maori text. In researching early New Zealand Parliamentary Papers she was drawn to the pamphlet wars of the 1860s as ‘the first occasion when the actual treaty, i.e. the text and its meaning, was taken out and aired’.<sup>130</sup> Here she found Chief Justice Sir William Martin’s notes on the differences in interpretation of the terms of the Treaty and his suggestion that preference be given to the Maori text.

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<sup>128</sup> Ross to Beaglehole, 2 July 1957, MS 1442, 91:1, AR.

<sup>129</sup> Michael Standish to Ross, 12 November 1958, MS 1442, 91:2, AR.

<sup>130</sup> Ross to Beaglehole, 2 July 1957, MS 1442, 91:1, AR.

Ross thought these significant, even if they were an example of settlers favouring the Treaty for their own purposes.

All historical analysis under the empiricist model began with investigation of the primary documents. Writing in 1898, the French archivist Charles Victor Langlois had decried the difficulties faced by European historians when the '[p]rogress of history depends in great measure on the progress of the general cataloguing of historical documents which is still very far from being adequately realised.'<sup>131</sup> That this statement still applied to New Zealand at the time of Ross' early research was obvious, while her revisionist approach made a sound documentary base all the more important. The inability of the archives in the 1950s to provide such a base could, she felt, be held against her, and ultimately it called a halt to her research. At the conclusion of her work in 1957 her friend and National Archivist, Michael Standish wrote:

'No one can write the sort of thing you have written without looking into every likely and unlikely source and these are not available to you at present. You will never satisfy the Rutherfords of this country unless you have every little thing sewn up, unless you can demonstrate that, short of a miraculous hoard of records turning up, you have seen and compared everything.... people will not be satisfied until you do. ... The "last word" I suppose can never be written, but you can be certain (more certain than you are) about some things if you have searched and searched everywhere'.<sup>132</sup>

When Ross had begun working at the Historical Branch in the 1940s, government historical records were poorly ordered and inadequately housed. Frequent mention was made in letters and memos between colleagues of the documents' 'nutritive role' among the cats, rats and insects that lived in the

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<sup>131</sup> Ch.V. Langlois and Ch. Seignobos, *Introduction to the Study of History*, trans. G.G. Berry, London: Duckworth, 1898, p. 27.

<sup>132</sup> Michael Standish to Ross, 13 June 1958, MS 1442, 91:2, AR.

cellars and attics in which they were stored.<sup>133</sup> Conditions had improved over the decade, and at the commencement of Ross' Treaty research Standish was in the process of transferring government records to one location in preparation for establishing a central archive. She was able to access the Parliamentary Papers of both Great Britain and New Zealand, the Colonial Secretary's Record and Letter books, and microfilm of the Colonial Office records. Material was still being ordered, however, and cataloguing was poor. The material regarding the Treaty was not yet completely catalogued or under a single collection. On two occasions during her research, Standish produced new evidence regarding Hobson's proclamation of sovereignty that had been previously missing from the records.<sup>134</sup> It was unsettling to Ross that so much laborious research and speculation in one direction could be contradicted or negated by the arrival of a piece of evidence to the contrary. Even within National Archives the ability to locate information was still 'hit and miss,' and reliant on the knowledge of the individual archivists. They, on the other hand were under-resourced and unable to respond with the breadth of knowledge expected of them. 'What I know is spread horrifyingly thin', Standish confessed jokingly, '...it takes a great deal of ingenuity not to be discovered'.<sup>135</sup>

The other institutional and public libraries Ross worked from were similar. Poor cataloguing and storage of manuscript collections meant getting information was again dependent largely on the knowledge of individual librarians. The Auckland Public Library Ross found particularly frustrating for their poor cataloguing and unhelpful staff. The previous practice of allowing researchers to take manuscripts out of the library had also resulted in lost information that impeded research.<sup>136</sup>

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<sup>133</sup> See for example, Guscott [Ross] to Heenan, 'Memo to the Undersecretary, Auckland / Northland Trip', 31 March 1944, MS 230, folder 8, WTU.

<sup>134</sup> Ross to Michael Standish, 26 June 1958, MS 1442, 91:1, AR.

<sup>135</sup> Michael Standish to Ross, 13 June 1958, MS 1442, 91, AR.

<sup>136</sup> Ross to Dora and Graham Bagnell, 16 November, MS 1442, 90:2, AR.

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So heuristic, during the early stages of Ross' research, was improving but still relatively precarious. While working at a distance, Ross felt by 1957 that she might have come fairly well to grips with her subject. A final research trip to Wellington in March 1956, however, convinced her of the opposite. She had gone to complete the last details of her research, but 'a few days in Archives', she explained to Beaglehole, 'showed me that instead of tying up a few loose ends I was only just beginning'.<sup>137</sup> Ross was unable to find accounts of the signatory meetings she was looking for, but her searching turned up other documents with regard to the Treaty that she was not aware had existed. This convinced her that New Zealand's archives were still too haphazard to support research along the close documentary lines she had envisaged. Although in her particular situation, as the mother of young children and one who lived 'five hundred odd miles and twenty four damn uncomfortable hours away' from the archive, she was in no position to spend more time there, this was only a part, and not the full extent, of the problem.<sup>138</sup> It was simply that the heuristic was not sufficiently advanced. The archive, she felt, needed to be systematically combed and catalogued in conjunction with the Turnbull Library and New South Wales governmental records. 'It's the turn of the archivist now', she wrote to Beaglehole, 'to make the historian take a look at the actual documents. They'll be surprised.'<sup>139</sup>

Ross had also begun to lose confidence in the validity of her textual approach. During her research trip to Wellington, she had been disappointed at the reaction of the VUC History staff at an informal presentation of her Treaty findings. There had been considerable opposition to the primacy she afforded to the Maori text, some going so far as to regard it as being 'historically worthless'.<sup>140</sup> She was also surprised to find that she had unearthed a document regarding the acquisition of sovereignty that was unknown to the

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<sup>137</sup> Ross to Beaglehole, 2 July 1957, MS 1442, 91:1, AR.

<sup>138</sup> Ibid.

<sup>139</sup> Ross to Beaglehole, 18 April 1957, MS 1442, 91:1, AR.

<sup>140</sup> Ross to Beaglehole, 2 July 1957, MS 1442, 91:1, AR.



Victorian historians. The presentation had shown to Ross the extent to which her research was at odds with conventional scholarship as well as public sentiment. She wondered privately if the Government Printer would even publish the introduction as she had planned it, based on an analysis of a Maori text by a non-Maori-speaking Pakeha. She thought perhaps they would be fools if they did.<sup>141</sup> She also began to ask herself if she had become too preoccupied with the text. Has this been to the detriment of other possible angles? While she acknowledged that an introduction that steered clear of the text may have been an adequate approach to a facsimile edition, she knew that she was not the person to write it.<sup>142</sup> With a combination of frustration and regret, she turned the facsimile introduction in.

Ross had hoped that Michael Standish would take up the challenge of completing the introduction, but he tried to lure her back to the job with the possibility of travelling and copying grants.<sup>143</sup> ('You saying you're sick to death of the T of W makes me nervous,' Standish wrote to her, 'but here goes....') If not Standish, then perhaps Wellington historian Ian Wards. In the event, neither Ross, Wards nor Standish completed the introduction. The facsimiles were reissued in 1960 under the original 1877 preface by Henry Turton, with an introductory note by C. R. H. Taylor, the Chief Librarian of the Alexander Turnbull Library.<sup>144</sup> The concept of the Treaty as a treaty in English and containing the 'simplest and clearest ideas' for a people 'with no experience of a civilised legal code' was continued.<sup>145</sup>

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<sup>141</sup> Ross to Michael Standish, 26 June 1958, MS 1442, 91:2, AR.

<sup>142</sup> Ibid.

<sup>143</sup> Michael Standish to Ross, 14 May 1957; Ross to Michael Standish, 26 June 1958, MS 1442, 91:2, AR.

<sup>144</sup> C.H.R. Taylor, 'Introductory Note' in *Facsimiles of the Declaration of Independence and the Treaty of Waitangi*, 2<sup>nd</sup> Edition, H.H. Turton (ed.), Wellington: R.E. Owen, 1960.

<sup>145</sup> Ibid.

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The adequate collation and cataloguing of Treaty documents was remedied over the following decades. By the time Ross wrote her 1972 article, archival and library services had developed to the extent that she was relatively confident about the completeness of her primary sources, or could identify the gaps. Presenting a critical analysis of the Treaty from the perspective of the Maori text, however, encountered other difficulties with regard to heuristic, and with the tenets of empiricism as a whole. The concluding section of this chapter discusses issues of heuristic with regard to Maori sources.

The empirical method was based on the objective and critical analysis of historical records. The privileging of documentary evidence meant that whatever records remained in written form came to represent the historical experience. This was openly acknowledged. In their classic empiricist text, used as a basis to analysis in Chapter Three, Langlois and Seignobos asserted: 'The historian works with documents. Documents are the traces that have been left by the thoughts and actions of men of former times.... every thought and every action that has left no traces, or none but what have since disappeared, is lost for history; is as though it had never been ....For there is no substitute for documents: no documents, no history.'<sup>146</sup>

For the empirical analysis of colonial history this had obvious implications. For Ross, researching the translation and interpretation of the Maori text of the Treaty, the absence of a Maori written record from the archive was particularly apparent. As Michael Standish wrote to her: "We are chock-a-block with Pakeha scribble which we treasure up, and how little there is of the Maori here. Faint echoes, inarticulate protests, distant pleas. .... We (I mean us archivists) have to remind ourselves that there were more than just a handful of savages

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<sup>146</sup> Langlois and Seignobos, p. 17.

around when Hobson and Wakefield and all the rest of them started gushing forth.<sup>147</sup>

For information on the precedents in meaning and the explanation of the Maori text, Ross was reliant wholly on missionary or Crown records and their interpretation of Maori speeches and reactions. Of these Ross considered William Colenso's *The Authentic and Genuine History of the Signing* to be the most reliable.<sup>148</sup> While she and other historians could incorporate these accounts as much as possible into their analysis, they were clearly, in being translations, already one step further removed from the Maori narrative of events. As translations, they also appeared particularly open to further reinterpretation by historians in support of their own arguments. The variety of meanings attributed to Nopera's 'too often quoted epigram' regarding the shadow of the land was one example. In the works of Ngata and Rutherford, who argued from the perspective of the English text, this was taken to indicate the cession of sovereignty. 'The only thing wrong with that,' Ross wrote to Beaglehole, 'is that people have assumed that by shadow Nopera meant sovereignty and substance he meant land.' From her own interpretation of the Maori text she believed Nopera to have meant the opposite: 'By substance I think he meant everything and by shadow nothing, or nothing of importance.'<sup>149</sup>

The alternative to Pakeha accounts of Maori responses to the Treaty were Maori oral traditions, or accounts written subsequently from the Maori oral record. In her own work with Maori regarding the Treaty, Ross had noted a 'missing generation' between the signatories of the Treaty records and the accounts of ancestors known to the elders at Motukiore. There was also confusion arising from the variations between traditional names and the

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<sup>147</sup> Michael Standish to Ross, 12 November 1958, MS 1442, 91:1, AR.

<sup>149</sup> Ross to Beaglehole, 2 July 1957, MS 1442, 91:1, AR.

Christianised names taken on later by Treaty signatories.<sup>150</sup> Although Ross herself became more comfortable with the fluid nature of Maori oral traditions and approach to history generally, it is unlikely that evidence of this nature, had she chosen to use it, would have been accepted within the historical academy.

Recent post-colonial perspectives have argued that science-orientated quests for objectivity, such as empiricism, have contributed to the dehumanisation of indigenous people by Western researchers.<sup>151</sup> In the case of history, the oral traditions, multiple and contested accounts legitimate within indigenous cultures, are seen as having 'collided' with the 'synthesis and firm authorial authority' valued by professional Western historians.<sup>152</sup> This analysis seems applicable to post-war New Zealand. The loading against Maori oral traditions was evident in Beaglehole's essay, 'History and the New Zealander,' when he juxtaposed Maori oral history, however 'devotedly' transmitted, against 'historical knowledge in the *true sense*, the fruit of hard and long-continued labour on material remains and on documents....'<sup>153</sup> In 1966, Keith Sinclair, in his overview of New Zealand historiography, took this idea further and explicitly cautioned against the use of Maori sources. He listed a number of Pakeha analyses of Maori experiences that he considered superior to the accounts of Maori themselves, and specifically cited Waikato historian Pei Te Hurinui Jones' work on Potatau as an example of the pitfalls of Maori histories. He considered Jones' account of the King movement to be out of alignment

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<sup>150</sup> Ruth Ross, 'The Autochthonous New Zealand Soil', in *The Feel of Truth, Essays in New Zealand and Pacific History, Presented to F.L.W. Wood and J.C. Beaglehole on the Occasion of Their Retirement*, Peter Munz (ed.), Wellington: A.H. & A.W. Reed, 1969, pp. 49-62, p. 55.

<sup>151</sup> Linda Tuhiwai Smith, *Decolonising Methodologies, Research and Indigenous Peoples*, Dunedin: University of Otago Press, 1999, pp. 12-49.

<sup>152</sup> Tuhiwai Smith, pp. 28, 33; the description of professional values is from Chris Hilliard, 'A Prehistory of Public History', p. 34.

<sup>153</sup> Beaglehole, 'History and the New Zealander', p. 110, italics added.

with newspaper reports and 'other contemporary sources'. It was, he suggested, 'unreliable ... confused and misleading'.<sup>154</sup>

In her study of the Maori text of the Treaty Ross did, in the event, rely on Pakeha and Crown documentary sources. She was, however, particularly sceptical of their authors' interpretations and motivations. In analysing the understandings conveyed to Maori signatories by the terms of the Treaty, as translated into Maori, she was undergoing an exercise in what could be regarded as 'applied hermeneutic'. Chapter Three considers Ross' analysis of the Treaty texts in the light of empiricist technique.

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<sup>154</sup> Keith Sinclair, 'New Zealand', in *The Historiography of the British Empire-Commonwealth: Trends, Interpretations and Resources*, Robyn Winks (ed.), United States: Duke University Press, 1966, pp. 187-8.

### CHAPTER III: 'Texts and Translations'

At the heart of Ross' analysis in the 1950s were two central points: her insistence on the primacy of the Treaty text and her assertion that the 'actual' Treaty of Waitangi, was te Tiriti o Waitangi, the Treaty in Maori. She differentiated between the Waitangi text and Maunsell's sheet signed at Waikato and Manukau in March and April of 1840, which she referred to as the 'Treaty of Waikato.' She felt that the Maori text was pivotal to any consideration of the Treaty, and believed that so long as people or institutions ignored this aspect, the allegations and speculations surrounding the Treaty, its obligations, its promise, and its spirit, would continue.

This was particularly so as the years passed. In the turmoil of the late 1960s and early '70s, civil unrest and racial strife evident in other Western countries made many New Zealanders concerned with the direction such allegations could take.<sup>155</sup> In 1972 the University Extension Programme at Victoria University organised a seminar in response to these concerns.<sup>156</sup> Ross was asked to present. She took the opportunity to air her views of the Maori text and the meaning of the Treaty in translation. The interest in her paper was considerable. Where once she had been disappointed to find her approach regarded as pedantic and 'historically worthless', it was now snapped up by an academy and general public anxious to understand a wave of unrest that seemed to strike at the core of New Zealand identity.

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<sup>155</sup> For examples of newspaper articles concerning Maori rights and the Treaty of Waitangi in Ross' own collection see MS 1442, Boxes 82-4, AR.

<sup>156</sup> J.C. Dakin, 'Preface', in *The Treaty of Waitangi, Its Origins and Significance, A Series of Papers Presented at a Seminar Held at Victoria University of Wellington, 19-20 February, 1972 under the auspices of the Department of University Extension of the University* W. Parker (ed.), Wellington: Victoria University of Wellington, 1972.



Ross went on to publish her seminar, considerably reworked as 'Te Tiriti Waitangi: Texts and Translations', in the *New Zealand Journal of History* in October 1972. While some historians were exploring new means of addressing the historical aspects of recent social concerns, Ross retained a determinedly narrow and empiricist approach. She felt it was important to keep the Treaty in the context in which it had been signed. So many people were expounding on the Treaty of Waitangi without first making themselves familiar with the documents that misrepresentations were sure to abound. While her conclusions on the Treaty may not have been a source of comfort to New Zealanders, it was information she felt they needed to know, and without which a degree of objectivity regarding the Treaty could not be achieved.

This chapter examines Ross' 1972 seminar and her article 'Texts and Translations' with regard to the second phase of empirical method: as an example of the critical analysis, methodical distrust and healthy pedantry Beaglehole advocated for uncovering a factual basis to the New Zealand tradition.

Langlois and Seignobos' *Introduction to the Study of History* identified history as a process of inference and reasoning. Without the capacity for direct observation, a scientific understanding of historical events could be gained only by analysis of their documentary remains. As the documents themselves were regarded as nothing more than the material traces of a series of psychological operations on the part of their authors, their subjection to a process of critical scrutiny became the defining 'operation' of a historian's scholarship.<sup>157</sup> The steps in this process, termed 'analytical operations', were of two types. The first, 'external criticism', concerned examination of the documents themselves, for authenticity, authorship, sources and so forth. The second, hermeneutic or 'internal criticism,' referred to assessment of the

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<sup>157</sup> Ch.V. Langlois and Ch. Seignobos, *Introduction to the Study of History*, trans. G.G. Berry, London: Duckworth, 1898, pp. 63-7.



'mental states' through which a documents' author passed: his meaning, belief in the accuracy of what he wrote, and his justification for that belief.<sup>158</sup> Applied to the Treaty, this required Ross to not only assess and define the Treaty documents, but also to examine the motives and understandings of their participating authors. She took this process one step further in attempting to ascertain what Maori, as signatories to the Treaty documents, may have understood them to mean.

As laid out by Langlois and Seignobos, 'external criticism' had three aims: to accurately define the document in question; to ensure that the historian was working as close to the original source as possible; to clear the mind of previous assumptions and suppositions surrounding the document. Step One, textual criticism, used close study and comparison to differentiate original documents from their copies. The examination of 'traditional variations', the errors or alterations that tended to accumulate between copies of texts, could be used to determine the order in which copies had been made and to construct a 'genealogical tree' – the sequence of events surrounding the creation of a document, or group of documents.<sup>159</sup>

Although Langlois was referring in general to texts of mediaeval or early modern origin, this was very much the analysis that Ross applied to the Treaty documents and which served to uncover a number of discrepancies unnoticed by previous scholars.<sup>160</sup> The clearest indications of this are in her 1972 seminar paper which, as a 'working draft', aimed to give a wide ranging but systematic account of her findings. Reworked into 'Texts and Translations',

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<sup>158</sup> Langlois and Seignobos, pp. 66-7.

<sup>159</sup> Langlois and Seignobos, pp. 71-86.

<sup>160</sup> Ruth Ross, 'The Treaty on the Ground', in *The Treaty of Waitangi, Its Origins and Significance, A Series of Papers Presented at a Seminar Held at Victoria University of Wellington, 19-20 February, 1972 under the auspices of the Department of University Extension of the University* W. Parker (ed.), Wellington: Victoria University of Wellington, 1972, p. 17.

the greater detail and discussion on particular points has tended to obscure some of this basic technique.

After defining her aims and making specific mention of the nature of missionary input into the Treaty, Ross began her analysis with a critical assessment of the Treaty texts. As she was working with documents involving translation, this required close comparison of all documents and copies in English with each other, and then these with the Maori text. Starting from her assumption that 'the Treaty of Waitangi' was the text in Maori, she worked backward to try and define the original or 'official' English version. From a detailed collation of the various English texts she uncovered five separate English versions, each slightly different, and each with some claim toward official status.<sup>161</sup> She related these copies to each other as to their origins, in the manner of a genealogical tree. As none were in exact accordance with the translated Maori text, Ross concluded that all were copies of an earlier draft. As the basis for the Maori translation, only that draft could, she felt, logically claim to be the official Treaty of Waitangi in English. To the best of her knowledge, however, it was lost. The English text most commonly referred to as 'the Treaty of Waitangi,' was Maunsell's copy signed at Waikato and Manukau. She identified this as being at odds with the inferred original. The absence of 'Forests' and 'Fisheries' from the original translation into Maori and an early version in English returned by Hobson to the Colonial Office, led Ross to conclude that the terms stated in the second article of the Waikato copy were interpolations, or later additions.<sup>162</sup> Although she was unsure of the status of the Waikato text, she was forced to conclude that forests and fisheries were not intended among the original guarantees of the Treaty articles.

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<sup>161</sup> Ruth. Ross, 'The Treaty on the Ground', pp. 17, 27; Ruth Ross, 'Texts and Translations', *NZJH*, 6:2, October 1972, p. 129-154.p. 134.

<sup>162</sup> Ruth. Ross. 'The Treaty on the Ground', p. 21; Ruth Ross, 'Texts and Translations', p. 142.

In the light of subsequent Treaty scholarship it may be difficult to appreciate the extent to which this analysis was at odds with current understandings of the Treaty. As mentioned, no other scholar had catalogued the variations of the English texts, nor had anyone come to the conclusion that the original version of the Treaty in English was missing. To assert this point therefore was to give primacy to the Maori text – with no comparable English text available, it became the ‘only’ Treaty of Waitangi. Simultaneously, it undermined the validity of the Waikato text, which until then had been so broadly accepted as ‘the Treaty’ as to be incorporated in the schedule of the 1960 Waitangi Day Act. To invalidate the Waikato text was also to discredit the translation of one of Maoridom’s foremost leaders, Sir Apirana Ngata, and to undercut the argument of contemporary Maori regarding access to traditional fishing grounds. The analysis also cast doubt on the solemnity attributed to the Treaty-making process. While the annual repetition of Lord Bledisloe’s prayer at Waitangi celebrations promoted the notion of a ‘sacred compact’, the repeated and unacknowledged variations in Hobson’s English texts suggested to Ross not only that he was still adjusting the terms of the Treaty after its initial signing, but that there had also been an unhealthy degree of chance, ‘carelessness, or cynicism’ attached to the whole proceedings.<sup>163</sup> Within the first step of analytical operations, therefore, Ross had opened the validity of the Treaty to doubt.

Textual criticism was followed in the *Introduction to Study of History* by the investigation of authorship, a step Ross also proceeded with in her seminar. Again she dislodged some accepted theories. ‘False indications of authorship exist,’ Langlois argued, ‘some foisted upon insignificant works in order to enhance their value, some appended to works of merit in order to serve the reputation of a particular person’.<sup>164</sup> Ross found this played out with regard to the Treaty. In 1953 Ross found an editorial in the *Auckland Star* suggesting

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<sup>163</sup> Ruth Ross, ‘Texts and Translations’, p. 135.

<sup>164</sup> Langlois and Seignobos, p. 89.

that 'Queen Victoria herself' had drawn the Treaty, whilst the former British resident James Busby also openly claimed authorship.<sup>165</sup> Indeed she believed that acceptance of Busby's exaggerated claims had 'in a large part been responsible for today's chaotic misunderstanding about the Treaty of Waitangi'.<sup>166</sup> To proceed with internal analysis, that is to determine the intended meanings of the Treaty, it was necessary to untangle its drafts and authors. To determine authorship, or the relative contributions of multiple authors, Ross compared the draft notes of Hobson, Freeman his secretary, and Busby, all of which were still available.<sup>167</sup> With the preamble and a significant proportion of the articles coming from Freeman and Hobson, Ross was able, with considerable satisfaction perhaps, to dispel Busby's claim of having been the principal author of the Treaty. She did acknowledge that in the English version of the articles 'there appears to be more Busby than anyone else'.<sup>168</sup> Seeing 'the Treaty of Waitangi' as the Maori text, however, meant Busby's input had been minimal, merely the exchange of the term *whakaminenga* for *huihuinga*.<sup>169</sup>

From Ross' perspective, whatever the intended meaning of Busby, Hobson or his officers, the onus of authorship lay with the Treaty translators, the missionary Henry Williams and his son Edward. Henry Williams was neither an experienced translator nor a scholar. Edward, as 'a green young man of twenty one,' seemed little better equipped. While his 'spoken Maori was very probably more fluent than his father's, his ignorance of English constitutional law and convention' was, she thought, 'almost certainly greater.'<sup>170</sup> Understanding their choice of terms in conveying the complex concepts of

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<sup>165</sup> Ross to Beaglehole, 1 April 1954, MS 1442, 24:5, AR; 'Our Queen to Visit Historic Waitangi', *Auckland Star*, 6 June 1953, p. 2.

<sup>166</sup> Ruth Ross, 'Texts and Translations', p. 132.

<sup>167</sup> Langlois and Seignobos, p. 96; Ruth Ross, 'The Treaty on the Ground', p. 18.

<sup>168</sup> Ruth Ross, 'The Treaty on the Ground', p. 18.

<sup>169</sup> Ruth Ross, 'Texts and Translations', p. 139.

<sup>170</sup> *Ibid.*, p. 138.

British sovereignty and governance was central to an analysis of the Treaty. This, therefore, became her next step.

'It is necessary to be penetrated by the principle', Langlois wrote, 'sufficiently obvious but often forgotten, that a document only contains the ideas of the man who wrote it, and to make it a rule to begin by understanding the text itself, *before* asking what can be extracted from it for the purposes of history. We thus arrive at this general rule of method: the study of every document should begin with an analysis of its contents, made with the sole aim of determining the real meaning of the author.'<sup>171</sup> This analysis, the hermeneutic, aimed to identify two factors. The first, using a process of positive interpretative criticism of the contents and language of a document, determined 'what the author meant'. The second used negative interpretative criticism to analyse the conditions under which the document was produced in order to verify the author's statements.<sup>172</sup> The intention was to separate the literal from the intended meaning of a document, and to separate this again from the author's own motivations and intentions.

Paramount to the understanding of a document was the identification and knowledge of its language.<sup>173</sup> Four principles of positive interpretative criticism were identified: recognition of the continued evolution of language and establishing a working familiarity with the language of the time; awareness of regional variations; familiarity with the individual language of the author and the particular sense in which he used his words; and the 'rule of context', which recognised that the understanding of any one word relied on an understanding of the broader meaning of the document as a whole.<sup>174</sup> These principles were particularly important, Langlois suggested, when 'the

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<sup>171</sup> Langlois and Seignobos, p. 145.

<sup>172</sup> *Ibid.*, p. 143.

<sup>173</sup> *Ibid.*, p. 146.

<sup>174</sup> *Ibid.*, p. 147-8.

author's habits of language or thought begin to differ from those of the historian who reads him, or when the meaning of the text is not obvious and indisputable'.<sup>175</sup>

The interpretative analysis of the Treaty documents was one of the strengths of Ross' seminar and article. Her observations regarding the use of the words *kawanatanga*, and *rangatiratanga* have sustained a wealth of subsequent scholarship. Having defined the Treaty documents and their authors, investigation of the language of the Maori text was one of the first tasks Ross set for herself in 1954. She had worked systematically on it, adding to her understanding as opportunities arose, for the nearer part of two decades.

In the manner of Langlois' four principles, she began her analysis by identifying the language of the Treaty text. It was, she noted, non-indigenous Maori: 'missionary- Maori, specifically Protestant missionary-Maori'.<sup>176</sup> Thus it was likely to differ from both the contemporary Maori of native speakers and from Maori as spoken in her own day. Protestant missionary (Mihinare) Maori constituted, for the purpose of analysis, a 'dialect' of its own. Making this delineation helped Ross to better determine the terms of the Treaty in Maori and the meanings they sought to convey. Close readings of early CMS translations, the 1837 New Testament in Maori, and Williams' Maori dictionary familiarised her with Mihinare Maori as an idiom, and with the pattern of 'missionary translation of English thought into Maori'.<sup>177</sup>

Missionaries, Ross noted, had a near monopoly on translating and explaining the terms of the Treaty. In both the choice of language and its explanation,

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<sup>175</sup> Langlois and Seignobos, p. 143.

<sup>176</sup> Ruth Ross, 'The Treaty on the Ground', p. 16; Ruth Ross, 'Texts and Translations', p. 136.

<sup>177</sup> Ross to A. G. Bagnall, 16 November 1954, MS 1442, 90:2, AR.; Ross to Beaglehole, 2 July 1957, MS 1442, 91:1, AR. In her letters at the time of her initial research she had found early Maori dictionaries to be 'inadequate'. In the seminar paper however she acknowledges 'Williams Maori Dictionary' as a key source: 'The Treaty on the Ground', p. 16.



this had resulted in a blurring of religious and political terminology. Henry Williams had stated in defence of his translation that it had been necessary to 'avoid all expressions of the English for which there was no expressive term in the Maori, preserving entire the spirit and tenor of the treaty....'<sup>178</sup> On close comparison of the Treaty with mission texts, however, Ross found significant discrepancies of meaning, particularly regarding the choice of the words *kawanatanga* and *tino rangatiratanga* in the preamble and articles as expressions of sovereignty. While the cession of sovereignty was clearly the 'chief purpose' of the Crown's treating with Maori, Ross felt that the choice of the term *kawanatanga* without the accompanying term *mana* in the Treaty translation had failed to convey the extent to which sovereignty, as an imported concept, would effect the traditional authority of Maori chiefs. Scriptural precedent, she noted, had used *kawanatanga* to denote the act of ruling, or oversight, and *mana* to denote ultimate authority. This usage had also found political precedent in Busby's 'Declaration of Independence,' *He W[h]akaputanga o te Rangatiratanga o Nu Tireni*, in which *Kingitanga* and *mana* had been used to denote sovereign power and authority respectively. Failure to continue this association in the Treaty had weakened the explanation, clouding the finer distinctions and underplaying the balance of power.

This misrepresentation appeared to have been exacerbated by the use of the term *tino rangatiratanga* in Article Two. Here Ross found precedents in *Mihinare Maori* that indicated that, until its use in the Treaty, the term *tino rangatiratanga* had been more closely aligned to the concept of sovereignty than had *kawanatanga* chosen in Article One. In CMS scriptures *rangatiratanga* had been used as a translation for 'kingdom,' and in Busby's Declaration of Independence for a state of political independence.<sup>179</sup> These

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<sup>178</sup> Hugh Carleton, *The Life of Henry Williams*, Auckland, II, 1877, p. 12, cited Ruth Ross, 'Texts and Translations', p. 139.

<sup>179</sup> Ruth Ross, 'The Treaty on the Ground', pp. 21-2; Ruth Ross, 'Texts and Translations', pp. 142-3.



interpretations had been borne out by Henry Williams<sup>180</sup> who, when subsequently asked to translate the Treaty back into English, equated the term with 'full rights as chiefs, (and) their right to possession of their lands and all their property of every kind and degree'.<sup>180</sup> Rangatiratanga had also been used by Hobson himself shortly after the initial signing of the Treaty to convey the concept of sovereignty. In a proclamation from April 1840 'te rangatiratanga o te Kuini' was used to denote the sovereignty of Queen Victoria.<sup>181</sup>

This textual basis to Ross' analysis problematised the Treaty to an unprecedented degree. As long as Crown policy had remained the principal focus of historical analysis, issues surrounding its representation to Maori had been eclipsed. Where discrepancies in translation had been touched on in previous scholarship, they were either not pursued, as in the case of Rutherford for example, or dismissed, as in the case of Ngata who contended that the real meaning lay in the English text.<sup>182</sup> Although the concept of a 'free and intelligent consent' by Maori chiefs was central to both general and academic understandings of the Treaty, Ross was the first historian to carefully consider the language through which this intelligent consent had been obtained. The outcome appeared to be an artless pastiche in which a handful of neologisms had been relied upon to convey complex and incommensurate political practices. Even the manner in which assent was demonstrated defied clear cultural definition. What, in the circumstances of the Treaty, she wondered, constituted a signature? Could an individual sign on behalf of his tupuna? Could the consent of one signatory be overridden by

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<sup>180</sup> Ruth Ross, 'Texts and Translations', p. 141.

<sup>181</sup> Ibid., pp. 142-3; Ruth Ross, 'The Treaty on the Ground', pp. 20, 22.

<sup>182</sup> J. Rutherford, *The Treaty of Waitangi and the Acquisition of British Sovereignty in New Zealand, 1840*, Auckland: Pelorus Press for Auckland University College, 1948, p. 48; Apirana Ngata, *The Treaty of Waitangi, an Explanation / Te Tiriti o Waitangi, he Whakamarama*, trans. M.R. Jones, New Zealand: Pegasus Press for the Maori Purposes Fund, 1922, pp. 5, 7.

a higher chiefly authority?<sup>183</sup> The margin for error within all aspects of the Treaty seemed to Ross to be immense, yet its consequences for Maori were profound. For interpretation they had trusted in missionary guidance. The final stage of hermeneutic is to assess a document's validity in terms of its author's intentions and motivations; a test which Ross applied to the Treaty's principal author Henry Williams.

Ross, it should be noted, was sceptical of the universal beneficence of early missionaries. In a lecture to the Auckland Historical Society in 1971 she had stated: 'No one would question that most of the early missionaries, Protestant and Catholic, were sincere men, doing their best for the New Zealanders, often under very trying conditions. But what we must recognise is that their best was not always very good; their actions were not always wise; their teaching was not always in the best interests of those they taught.'<sup>184</sup> In her analysis of the Treaty, Ross had suggested that terms vital to the full meaning of the English text had been held back from Maori. Determining the extent to which this was intentional and what purposes it may have served helped to assess the validity of the Treaty. Langlois' final stage of hermeneutic involved negative interpretative criticism, a process of eliminating those factors likely to lead to false representation in a text in order to determine, by inference, the extent to which the remainder of the text could be relied upon. This involved a complex three-tiered series of questions, the application of which Langlois believed was habitual in experienced critical historians, but which needed to be made explicit to those still developing this approach to analysis. Although it is not known the extent to which Ross consciously followed this method, it provides a useful framework for some of the observations she made regarding the role of Henry Williams in the signing of the Treaty.

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<sup>183</sup> Ross to Beaglehole, 2 July 1957, MS 1442, 91:1, AR.

<sup>184</sup> Ruth Ross, draft of talk to Auckland Historical Society, ?July 1971, MS 1442, 79:4, AR.

The list of questions Langlois provided in the *Introduction to the Study of History* was long and detailed. As with the examination of a document's language, it required a familiarity with the conditions under which the author worked, but reached also into the broader (psychological) habits of humanity.<sup>185</sup> The questions ranged from the functional, such as whether there was a practical purpose to be served from the document, or whether the outcome was to be in either the author's personal interest or in a collective good, to matters of affect, the unconscious display of an author's prejudice or personal vanity. All, however, revolved around a fundamental principle: 'Every violation of truth, small or great, is due to a wish on the part of the author to produce a particular impression on the reader.'<sup>186</sup> Although Langlois' was a method designed to determine the veracity of narratives more than official documents, applied to the Treaty this principle concerned the impression Williams wished to convey, through his choice of words, of the Crown's intended relationship with the Maori people.

The conditions of Williams' life had placed him at the service of the Northern Maori community. They had turned to him for interpretation and advice on the Treaty, and it was, Ross noted, a role in which he appeared both confident and comfortable. It also a role, she thought, that he assumed too lightly. Both he and Busby were by her estimation given to self-importance and were assured of their position 'on the side of the angels'.<sup>187</sup>

In establishing motive, Langlois noted that a well integrated member of any community must be at one and the same time a member of many, and sometimes conflicting, groups.<sup>188</sup> Ross identified Williams as being at once British, Protestant, an ex-naval officer, a New Zealand landholder, missionary,

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<sup>185</sup> Langlois and Seignobos, pp. 163-4.

<sup>186</sup> Ibid., p. 166.

<sup>187</sup> Ross to Ormond Wilson, 23 July 1972, MS 1442, 99:1, AR.

<sup>188</sup> Langlois and Seignobos, p. 161.

and friend and advisor to the Maori. The terms in which he chose to present the Treaty would depend on the extent to which he perceived these roles as being in conflict with one another, and which of those roles he let to the fore. In contrast to those generally in praise of Williams, such as Buick, Ross from her own research had found his attitude toward Maori to have been at best paternalistic, at worst condescending to the point of sarcasm.<sup>189</sup> It was well known that Williams had supported formal British intervention in New Zealand. In his paternalism and his determination to see this goal achieved she believed he had consciously restricted the terms in which sovereignty had been presented to Maori. This Ross perceived to be a deliberate omission and a breach of trust.<sup>190</sup> In her seminar she stated:

‘If Henry Williams and young Edward had translated sovereignty as *te kawanatanga katoa* *te mana katoa* *me te kaha*, no Maori would have been in any doubt about what was being given to the Queen. But if *mana* had been seen as a part of the European concept of sovereignty, would any New Zealander have signed the treaty? ...So was the Williams translation of sovereignty political rather than meaningful? Did they, knowing the chiefs would never sign away their *mana* to the Queen deliberately eschew the use of this word and this concept in their translation? Well, your guess is as good as mine.’<sup>191</sup>

In the article she was more outspoken and assured:

‘In the Maori text of Busby’s declaration of independence ‘all sovereign power and authority within the territories of the United Tribes’ was translated as *ko te Kingitanga ko te mana o te w[h]enua o te w[h]akaminega*. Yet when this same sovereign power and authority was to be ceded to the Queen by, among others, the very chiefs who had supposedly declared themselves possessed of it in 1835, only *te*

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<sup>189</sup> Ross to Ormond Wilson, 23 July 1972, MS 1442, 99:1, AR.

<sup>189</sup> Langlois and Seignobos, p. 161.

<sup>190</sup> T. Lindsay Buick, *The Treaty of Waitangi or How New Zealand Became a British Colony*, Wellington: S. & W. Mackay, 1914, p. 92.

<sup>191</sup> Ruth Ross, ‘The Treaty on the Ground’, p. 20.

*kawanatanga katoa* of their lands was specified. It is difficult not to conclude that the omission of *mana* from the text of the Treaty of Waitangi was no accidental oversight.<sup>192</sup>

The Williams's could, Ross concluded, 'fairly be held responsible' for this omission.<sup>193</sup> The paternalistic attitude behind the act, that Pakeha knew what was best for Maori, and should if necessary humour them into compliance, had thus been initiated by Williams in the country's inaugural agreement between Maori and the Crown, and had continued to permeate, she felt, historical interpretations and policy toward Maori in her present day.

Similarly, on the issue of pre-emption in Article Two of the Treaty, Ross did not believe Henry Williams to be beyond reproach. Land was a particularly contentious issue with regard to the Treaty signing. Many of the speeches in the debate concerned land sales, some of which specified Williams' own land holdings as a point of contention. There was also precedence to show that Maori would not have agreed to a Treaty that prevented them from dispensing of their lands on their own terms.<sup>194</sup> Ross did not feel Williams to be directly responsible for his mistranslation of pre-emption in the Maori text. She felt it was unlikely that Hobson had indicated the extent to which he intended the embargo to go. She was, however, suspicious of the lightness of his explanation during the Treaty meeting which, as Colenso had noted, had left Maori clearly misinformed.<sup>195</sup> He had also furthered this misunderstanding when he would have been in a position to support the Maori perspective. Because of his own land interests, she believed, Williams had remained studiously aloof from the subsequent debates over the Treaty and land sales. It was not until 1861, when he was 'stung into declaring himself,' that he

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<sup>192</sup> Ruth Ross, 'Texts and Translations', p. 141.

<sup>193</sup> Ibid., p. 141.

<sup>194</sup> Ibid., p. 145.

<sup>195</sup> Ibid.

admitted the explanation he had given to Maori was at variance to the use of pre-emption in the English text.<sup>196</sup>

Ross saw Henry Williams, then, as being culpable for two of the more serious misunderstandings in regard to the interpretation of the Treaty. By considering his intentions and motivations as the principal author of the Maori text she demonstrated the extent to which, as much as it may be interpreted as 'sacred pact,' it was also the product of human error and ambition. She maintained that as a document it was based on an element of deceit and omission and should therefore be judged less on what it intended to achieve and more on what it resulted in conveying.

This analysis of the Treaty, however, placed Ross in an unenviable position, at odds with not only the accepted scholarly view, but with a central icon of the New Zealand tradition. To expose the Treaty would be both distressing to Pakeha, who had come to accept the sanctity of a pact which legitimised the European presence in New Zealand, and possibly counterproductive to Maori causes which she well understood and sympathised with.<sup>197</sup> 'Much of it is dynamite, I know', she had written to Beaglehole at the start of her research in 1954.<sup>198</sup> While her resolve had strengthened in the face of the increased controversy surrounding the Treaty in the early 1970s, it left her no more comfortable about this aspect of her work.

The concluding chapter of the thesis examines the application of Ross' Treaty scholarship to the realm of tradition and the 'felt background' of New Zealand life.

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<sup>196</sup> Ibid., p. 152.

<sup>197</sup> Ruth Ross, 'The Treaty on the Ground', p. 21.

<sup>198</sup> Ross to Beaglehole, 1 April 1954, MS 1442, 24:5, AR.



## CHAPTER IV: Tradition

'Why I can't leave well alone I'm damned if I know', Ross wrote to her friend Ormond Wilson while preparing 'Texts and Translations' in 1972. 'What harm have all the rose-tinted spectacles done me that I am driven to snatch them away from people and trample them under foot?'<sup>199</sup> But snatch them she did, for as each Waitangi Day celebration passed, with its protests and demonstrations, 'pious moralising' and 'patriotic guff,' the more she felt New Zealanders were entrenching themselves in a myth, 'hoist with a monstrous misconception of our own making'.<sup>200</sup>

Langlois believed myth, in the sense of historical misunderstanding, arose out of a natural human tendency toward intellectual ease, or even 'sloth'. Failing some obvious reason for examination, 'outrageous improbability' or contradiction, a historical document could become caught in a cycle of uncritical acceptance: 'we swallow it whole, we pin our faith to it, we hawk it about and, if need be, embellish it in the process'.<sup>201</sup> Beaglehole, somewhat more kindly, saw the same tendency as arising out of the social need to create an accessible tradition: 'to shed off, as indeed tradition has a habit of doing without deliberately moulding, the inessential for the essential – even if', he noted, this process 'sometimes rather inadequately, or erroneously, picks on a symbol ... to incorporate its feeling for the essential'.<sup>202</sup>

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<sup>199</sup> Ross to Ormond Wilson, 13 July 1972, MS 1442, 99:1, AR.

<sup>200</sup> Ross to Donald Hope Evans, 8 July 1976, MS 1442, 83:3, AR; Ruth Ross, Presentation to Jay Cees, Auckland, September 1972, MS 1442, 79:2, AR.

<sup>201</sup> Ch.V. Langlois and Ch. Seignobos, *Introduction to the Study of History*, trans. G.G. Berry, London: Duckworth, 1898, p. 69.

<sup>202</sup> J.C. Beaglehole, 'History and the New Zealander', in *The University and the Community, Essays in Honour of Thomas Alexander Hunter*, Earnest Beaglehole (ed.), Wellington: Victoria University College, 1946, pp. 98-124., p. 118.



Ross may have regarded the myth surrounding the Treaty as a combination of both laziness and need. Academic historians, she felt, were culpable for their continued 'echoing' (or contradicting) of each other's work without close examination of the primary material.<sup>203</sup> Irrespective of this however both Maori and Pakeha searched for an identity within the Treaty, which she believed it was unable to provide. It was only its lack of clear definition that gave it the illusion of doing so. 'To each one of us', she wrote in the conclusion to 'Texts and Translations', ' – the politician in Parliament, the Kaumatua on the marae, Nga Tamatoa in the city, the teacher in the classroom, the preacher in the pulpit – the Treaty of Waitangi says whatever we want it to say. It is a symbol, of Pakeha self-righteousness, of Maori disillusionment .... The signatories of 1840 were uncertain and divided in their understanding of its meaning: who now can say what its intentions were?'<sup>204</sup>

Ross' own intentions were to strip the Treaty of symbolism, to lay it out as objectively as the evidence would allow and to view it again from a strictly documentary basis. Seen thus it may, she hoped, be brought back into perspective as only one of a number of processes that contributed to the acquisition of sovereignty and the colonisation of New Zealand. Such reassessment would become, perhaps, part of the 'ampler and more adequate foundations' on which Beaglehole had hoped New Zealand would build a more authentic national history or tradition.<sup>205</sup>

'Texts and Translations,' and its preceding seminar, were the third of Ross' publications to approach the Treaty with this intention. Her Primary School Bulletin *Te Tiriti o Waitangi* (1958) and an article 'Waitangi 1840' in *Northland*

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<sup>203</sup> Ross to Ormond Wilson, 16 August 1972, MS 1442, 99:1, AR.

<sup>204</sup> Ruth Ross, 'Te Tiriti o Waitangi: Texts and Translations', *NZJH*, 6:2, October 1972, pp. 129-154., p. 154.

<sup>205</sup> Beaglehole, 'History and the New Zealander', p. 107.

in 1963 had also, on their respective levels, addressed popular conceptions of the Treaty. This chapter reviews each of these pieces. It begins by considering her primary School Bulletin and the role of School Publications in conveying a historical tradition.

When Ross withdrew from writing the introduction to the facsimile edition of the Treaty in 1957, she had already agreed to write a Primary School Bulletin on the Treaty for the School Publications Branch of the Department of Education. She found it a relief to turn her attention to this work. She had begun to view her approach to the facsimile introduction as 'so much wasted time and effort.' 'The Maori Magna Carta is entrenched in New Zealand myth,' she wrote to Beaglehole, 'it's holy.'<sup>206</sup> In her long-standing relationship with the School Publications Branch, however, there lay another avenue for her findings. If the older generations were set in their views, perhaps there was a younger one that wasn't.

The School Publication programme had arisen out of changes to the school curriculum following the Thomas Report in 1936. It was part of a swing away from the English matriculation system toward a more nationalistic and citizenship based model of education in New Zealand.<sup>207</sup> History, once viewed as a 'soft option' by those with serious matriculation ambitions, was combined with geography to form social studies and elevated to a central position in the curriculum.<sup>208</sup> The new syllabus had a strong New Zealand focus and, as most school texts were still published in Britain and contained British material, there was an urgent need for locally based teaching material. The School Publications Branch, until then responsible primarily for the

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<sup>206</sup> Ross to Beaglehole, 2 July 1957, MS 1442, 91:1, AR.

<sup>207</sup> Thomas Report, cited P. B. Trapp, 'The Post-Primary School Bulletin', *Education, A Magazine for Teachers*, 5:3, October 1956, p. 37.

<sup>208</sup> C.E. Beeby, *The Biography of an Idea: Beeby on Education*, Wellington: New Zealand Council for Educational Research, 1992, pp. 13, 27.

*School Journal*, was expanded to meet the need. The bulletins, at both primary and post primary level, were intended as brief, informative booklets to stimulate class discussion on New Zealand topics.<sup>209</sup>

In its early years, 1907 to the 1920s, the *School Journal* had been used, among other things, to instil a sense of Empire and love of England into its readers.<sup>210</sup> The bulletin series, however, aimed to generate interest in New Zealand on its own terms. Quality writers were sought for the bulletins, with 'a story to tell or a conviction to express.'<sup>211</sup> For the historical topics, writers drawn from the Historical Branch included Beaglehole, Eric McCormick, Fred Wood, D.O.W. Hall, John Pascoe, Mary Boyd, Nan Taylor, Michael Turnbull.<sup>212</sup> Keith Sinclair also produced a bulletin.<sup>213</sup> Ross began work for School Publications in 1951 and produced one post-primary and three primary school bulletins, and five additional stories for the *School Journal*. *Te Tiriti o Waitangi* was her last piece.

The bulletin programme was, from its inception, progressive in outlook. At the primary school level particularly, it moved away from the rote learning of facts toward experiential styles of education. The desired outcome in social studies was not so much a 'detailed knowledge' of a problem as a quickened interest and a general feeling for a historical situation.<sup>214</sup> All bulletins were in story

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<sup>209</sup> James K. Baxter, 'The Primary School Bulletin', *Education, A Magazine for Teachers*, 6:1, February 1957, pp. 62-3.

<sup>210</sup> E.P. Malone, 'The New Zealand School Journal and the Imperial Ideology', *New Zealand Journal of History*, 7:1, April 1973, pp. 12-27; Colin McGeorge, 'Learning About God's Own Country', *The New Zealand Journal of Educational Studies*, 18:1, November 1983, pp. 4-12.

<sup>211</sup> Thomas Report: Cited Trapp, p.38.

<sup>212</sup> *Education, A Magazine for Teachers*, 5:3, October 1956, pp. 41-44.

<sup>213</sup> *Ibid.*, pp. 41-44.

<sup>214</sup> 'Primary School Bulletins', *Education, A Magazine for Teachers*, 1:4 1948, p. 265; 'New Zealand Topics in History and Geography, Use of School Journal', *Education, A Magazine for Teachers*, 1:1, 1948, p. 17.

format. The first objective was to 'make the story attractive so that the pupils will feel a positive interest' in the topic. The second objective was to 'present an accurate picture of the period as seen by the characters in the story'.<sup>215</sup> The concept behind the bulletins at primary school level, therefore, was history as a felt background in much the same way that Beaglehole's model had envisaged. In the context of the post-war baby boom, with more children attending New Zealand primary schools than ever before, it may not have been too much for him to have argued, as he did in 'The New Zealand Scholar,' that the School Publications Branch held something of the country's future 'in its hands'.<sup>216</sup>

The Branch's policy on the New Zealand history presented in the bulletins was relatively loose. There was scope for the revisionist style history arising from the reassessment of documentary sources favoured by the post-war historians. From the inception of the bulletins, the Branch had encouraged a degree of controversy and debate within stories. This was seen as an integral part of historical study, and a stimulus to classroom discussion:

By this means a critical attitude should be developed towards printed matter, and particularly towards historical matter, whether in fictional form or otherwise. If, after discussion, the judgements presented in books always turn out to be what we now agree with, then a firm and uncritical reliance on the truth of printed matter will be developed and one object of education will be defeated. Therefore, all judgements

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<sup>215</sup> 'New Zealand Topics in History and Geography, Use of School Journal,' *Education, A Magazine for Teachers*, 1:1, 1948, p. 15-16; 'Primary School Bulletins', *Education, A Magazine for Teachers*, 1:4, 1948, p. 265.

<sup>216</sup> Beaglehole, 'The New Zealand Scholar', in *The Feel of Truth, Essays in New Zealand and Pacific History, Presented to F.L.W. Wood and J.C. Beaglehole on the Occasion of Their Retirement*, Peter Munz (ed.), Wellington: A.H & A.W. Read, 1969, pp. 235 – 252, p. 248.

must be dealt with as the judgements and opinions of fallible men, likely to be wrong, and not of infallible and impersonal "History".<sup>217</sup>

For Ross, the bulletins were an opportunity to confront assumptions about the benign nature of Britain's colonisation and early race relations. She used her writing to introduce many of her own contentitious views on early traders, Pakeha-Maori, missionary practices, and the need for early settlers to accommodate themselves into the dominant Maori culture. In *Te Tiriti o Waitangi* she chose to present the signing from a Maori perspective and to incorporate some of the issues of interpretation and understanding that had arisen in her research for the facsimile introduction. She used Pakeha documentary records of the Hokianga Treaty meeting in 1840 as the basis of the bulletin and created fictitious conversations and Maori characters to convey how ambivalently the Treaty was perceived by Maori and the gulf in understanding that existed between the two cultures. 'It's a curious sort of thing,' she wrote of *Te Tiriti* to Michael Standish:

'- fact and fancy, reconstruction and deduction, past and present all inextricably mixed. I don't know that you could call it history, except for 'the Meeting' itself. Though I didn't realise it at the time I drew as much on my own experience as I did on historical records ... I could never have written this bulletin without knowing the area and the people. Not only is the scene Motukiore but the people of the hapu are Motukiore people, living and dead.'<sup>218</sup>

The fictional component was pivotal to the working of the bulletins. It allowed history to be presented at a level children could relate to. Viewed from Beaglehole's model, it was one way of resolving the conflict Phillips identified between empiricist standards and a felt national tradition. One aim of

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<sup>217</sup> School Publications Branch, 'New Zealand Topics in History and Geography, Use of School Journal', *Education, A Magazine for Teachers*, 1:1, 1948, p. 17.

<sup>218</sup> Ross to Michael Standish, 21 November 1958, MS 1442, 91:2, AR.

empirical method was to detect and eliminate literary embellishments within records that, while they made for lively narratives, distorted historical fact.<sup>219</sup> Facts alone, on the other hand, did not constitute a historical tradition. They required an interpretative medium to make them accessible and to carry them in the minds of the people. Early attempts at bulletins in which Ross had relied only on factual information were, by her own admission, 'as dull as ditchwater'.<sup>220</sup> Judicious use of fiction allowed bulletin writers to distil the historical essence from an event or document and to refashion it in an engaging format with such telescoping of events, descriptive detail or characterisations to create an authentic atmosphere. The sound empirical base to the story legitimated the fictional interpretation. As Geoffrey Elton was later to claim of empirical method, when a historian was thoroughly aware of his evidence, its range and its limitations, it was permissible to extend 'beyond the strict confines of evidence; even his guesses bear the stamp of proof'.<sup>221</sup>

Although fiction could be used to create historical stereotypes or histories in the style that Langlois decried as being 'truer than the truth', in the event most of the historical bulletins were far subtler and nuanced renderings than the medium might suggest.<sup>222</sup> Ross used it particularly to incorporate, or superimpose, a degree of analysis on to events as they occurred in the story. In *Te Tiriti o Waitangi* it enabled her to present her readers with a number of conflicting opinions and interpretations of the Treaty. Her aim was to problematise the Treaty for her readers, to show that it was neither a simple document nor simply accepted. Her principal techniques for conveying this were use of conversation, descriptive detail, and atmosphere.

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<sup>219</sup> Langlois and Seignobos, p. 171.

<sup>220</sup> Ross to Beaglehole, 19 April 1955, MS 1442, 24:5, AR.

<sup>221</sup> G.R. Elton, *The Practice of History*, London: Sydney University Press, 1967, p. 19.

<sup>222</sup> 'truer than the truth', Langlois and Seignobos, p. 171.



Ross used atmosphere to show the differences in perception between the two Treaty parties.<sup>223</sup> The suspense and indecision of the late night conversations of the Maori leading up to the Treaty meeting were contrasted with the irritation and impatience of the British official party waiting in the bright sun of the mission gardens; the natural environment, a source of identity to the Maori, was perceived as a hostile jungle to the British officers, pressing in on them and making a mockery of their English clothing.<sup>224</sup> Language also emphasised this difference; the poor pronunciation of Maori by the British was set against the Maori unfamiliarity with English terms and their reference to Hobson and the Queen only as the Kawana and the Kuini.<sup>225</sup> One of the most moving contrasts in the bulletin was between local hapu struggling to find the biblical precedent for the Treaty in the ineffectual governorship of Pontius Pilate and Hobson's simple pleasure at being chosen to convey the glad 'blessings of British rule and the royal protection of our gracious Queen'.<sup>226</sup>

While the contrasts between British and Maori were emphasised, so too were their internal tensions and divisions. Conversations among Maori suggest that acceptance of the Treaty is as likely to be effected by long standing animosities between hapu and their recent religious affiliations as by the Kawana's speech. Competition and ill feeling between missionaries and within the band of British officials complicate Pakeha relations. Pakeha-Maori, early traders and sawyers now integrated into Maori communities, are both an irritant to Hobson and a source of advice to Maori. The reactions to the Treaty by the characters in the bulletin story, therefore, were as much the result of complex human relations as they were of the inherent quality of the Treaty document or the offer of sovereignty.

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<sup>223</sup> Ross to Matt Te Hau, 31 March 1957, MS 1442, 91:1, AR.

<sup>224</sup> Ruth Ross, *Te Tiriti o Waitangi*, Primary School Bulletin, Wellington: R. E. Owen for School Publications Branch, Department of Education, 1958, pp. 13, 15, 19-20.

<sup>225</sup> Ross to Matt Te Hau, 31 March 1957, MS 1442, 91:1, AR.

<sup>226</sup> Ruth Ross, *Te Tiriti o Waitangi*, pp. 12-13, 17.



Ross presented the section dealing with the signing of the Treaty as a play. This not only increased its possibilities for classroom teaching but also enabled her to lay out the historical record as succinctly as possible. She had chosen the Hokianga signing specifically because it was so 'rich in eye-witness accounts', including those of Hobson, the Police Magistrate Shortland, Reverend Richard Taylor and the Irish settler F. E. Maning.<sup>227</sup> In the play format Ross presented the proceedings and speeches with a minimum of analysis. It was a way of returning to the manner of earlier historians such as Buick, and including bulk quotation to let the historical record, although greatly simplified in its presentation for children, to speak for itself. The play included the speeches of Hobson, Taonui, Papahia, Mohi Tawhai, and other Northern rangatira, along with a version of the Maori text of the Treaty translated by the missionary Hobbs, and an attempt to protest against the Treaty by Maning.

Analysis was provided in the following section, 'After-thoughts,' in which Ross reverted to the use of fictitious conversations to review the events of the meeting and some of the issues it involved. The conflicting understandings of sovereignty were incorporated into a conversation between Hobbs, and his colleague Mr Woon. It is worth particular mention here as an illustration of the ability of fiction to convey complex issues simply. A number of the conclusions Ross had come to in her research for the facsimile introduction and which she later expanded in 'Texts and Translations' were included in this single piece:

"I wonder how much [the Treaty] all meant to them." Hobbs sounded doubtful.

"My dear Mr Hobbs, you explained matters most fully," Woon assured him.

"I did my best, Mr Woon, but how *can* one explain, in Maori, the meaning of sovereignty?" Hobbs asked impatiently. "Why, I'm not sure I know myself all that sovereignty implies. Do you?"

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<sup>227</sup> Ross to Matt Te Hau, 31 March 1957, MS 1442, 91:1, AR.; Ross, *Te Tiriti o Waitangi*, p. 3.

'Well,' hesitated the other, "the power and authority of a sovereign, a ruler, I suppose.'

"Yes," broke in Hobbs, "that is just the point. The power and authority of the Queen of England is rather different from the power and authority of a Maori chief isn't it?"

"It is, I agree."

"Then do you imagine that the chiefs consider they have handed over their authority, their mana, to the Queen?"

Woon sat up with a jerk. "No," he said abruptly. "I do not. Nor do I recollect, Mr Hobbs, that the term 'mana' was used in the wording of the treaty."

"It was not," Hobbs said crisply. "Yet surely the real meaning of the chiefs' cession of sovereignty to the Queen is that their mana will be dwarfed by the mana of the Queen?"

Woon nodded in agreement. Then he said rather heatedly: "The whole business has been too hurried ..."

"Perhaps so, Mr Woon," said Hobbs wearily. "But when you come to think of it, what do any of us missionaries know of treaties, and sovereignty, and other matters of law?"<sup>228</sup>

This discussion was followed by the missionaries' summing up of points for and against the signing of the Treaty, and by a parallel conversation between members of the local hapu, showing their perspective of the ceremony and their sense of foreboding and loss. Here an exchange between Maning, who was staying with the hapu, and Pero, the chief, summarises the issue of voluntary cession and the position of Maori under the Treaty. Pero and others, after reconsidering the pre-emption clause, had caught up with Hobson the day after the signing, returned their blanket and asked for their names to be removed from the sheet. Maning commented to Pero:

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<sup>228</sup> R. Ross, *Te Tiriti o Waitangi*, p. 43.

"It matters little, Pero, whether your name is on the treaty or not ... The Kawana has a hundred other names and will have hundreds more before he is finished. It is too late. He has come and he will stay."

"Aue! So the Kuini will have the selling of my land after all" Pero said helplessly

"Aye, that is the way of things. Times are changing..."<sup>229</sup>

These conversations and others in the bulletin conveyed not only information but also a sense of tension and the fracturing of a social order. Some amounted to no more than hints and allusions, others were presented more directly. It was the role of the teacher to pick up and elaborate these issues for the children. Ross believed, it was one of the shortcomings of the bulletins as a means of reforming the New Zealand historical tradition that, while many of the writers may have been committed to addressing long-standing assumptions the teachers were considerably less inclined.

Ross felt that on the whole teachers were uncomfortable with New Zealand history, they'd 'all much rather "do" 'Meg the Pit Girl' she wrote to James K. Baxter.<sup>230</sup> In the case of her Treaty bulletin, she did not hold out much hope for co-operation with her stance, believing that most teachers with classes that were predominantly Pakeha and being themselves in line with the general perceptions of the Treaty, had a 'vested interest in the story that NZ became a British colony by the treaty [sic.] of Waitangi, 6 February 1840'.<sup>231</sup> Her own outlook, she felt, was 'so very different from the popular classroom Treaty' that it could be perceived almost as a 'travesty' by some.<sup>232</sup>

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<sup>229</sup> Ibid., p. 48.

<sup>230</sup> Ross to James K. Baxter, 15 November 1957, MS 1442, 91:2, AR.

<sup>231</sup> Ross to Matt Te Hau, 31 March 1957, MS 1442, 91:1, AR.

<sup>232</sup> Ross to Michael Standish, 21 November 1957, MS 1442, 91:2, AR.

Writing later from a post-colonial perspective, Linda Tuhiwai Smith acknowledged that indigenous writers, in presenting their perspective, ran the danger of revealing themselves 'in ways, which get misappropriated and used against them'.<sup>233</sup> Ross, in presenting a Maori perspective, was similarly concerned that, rather than breaking down attitudes that ignored or oversimplified Maori attitudes to the Treaty, her material could be used by teachers to reinforce them. For this reason she refused to have a glossary included with *Te Tiriti*. She wrote to James Baxter:

'By providing a glossary of any sort ... you are providing a lovely tool for the formal teacher ... Question – what is the meaning of rangatiratanga' – Answer – chieftainship. All wrapped up and nothing to worry about – isn't that just grand. Do you honestly think any child would be any the wiser? I could write you 14,000 words [the bulletin length] on 'rangatiratanga' [alone]'.<sup>234</sup>

As terms such as tino rangatiratanga could not be simply explained she felt it was better that they were 'hazed' and thus left open:

"I'm not griping about a glossary because it might have cost me 1000 words of text ... I'm griping about a glossary because a glossary is dangerous. Every primary school child – or at any rate every primary school teacher – is already convinced that Utu means revenge and tohunga means priest – no more, no less. That's the result of glossaries, some of them [School Publication's]. There's no set meaning, cut and dried meaning for Maori abstract terms. ... By leaving just a free translation, or even a vague interpretation, in the text kids will pick up all they need to know. By packaging all these words and phrases into glossaries ... you are going to falsify, confuse, mislead ad infinitum."<sup>235</sup>

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<sup>233</sup> Linda Tuhiwai Smith, *Decolonizing Methodologies, Research and Indigenous People*, Dunedin: University of Otago Press, 1999, p. 36.

<sup>234</sup> Ross to James K. Baxter, 28 July 1957, MS 1442, 91:2, AR.

<sup>235</sup> Ibid.

While Ross acknowledged the dangers of appropriating Maori knowledge and perspectives, she appeared to have little difficulty with the fact that she herself, as a Pakeha, was claiming to write and present a Maori view of the Treaty. Indeed, she thought it 'almost inevitable that Maori readers of the script would approve, for I've tackled the whole thing from the Maori angle.'<sup>236</sup> To a certain extent her story was the logical extension of her work on the Maori text. As this in her view constituted the actual Treaty of Waitangi it required Maori characters to convey it. However, there was a deeper motivation, linked strongly to Ross' view of a national tradition.

Ross felt that the exclusion of Maori accounts in the formation of national history was detrimental to both Maori and Pakeha. She believed it inhibited the ability of different cultures within New Zealand to interact constructively and to move forward. She saw Pakeha's blinkered presentation of history primarily to blame. When a retired official from Maori Affairs, referring to the attack of Rangiaowhia 1864, remarked that it was 'doubtful whether the use of sombre colours' in portraying the past would 'foster the forward looking spirit of co-operation and brotherhood', Ross replied:

'Maori ... still remember Rangiaowhia with bitterness, and that bitterness is not likely to be eradicated by ... matters not to the pakeha's credit being carefully ignored and unacknowledged by the pakeha. It seems to me that if the pakeha, instead of attempting to give the impression that no blame was on his side, openly acknowledged the blame, the injustice &c &c, some of the sting would be taken out of the Maori bitterness, and there would be more chance of a forward looking spirit of co-operation &c. &c. coming about. .... I feel strongly that NZ kids should realise that the Maori, in Waikato, Taranaki and elsewhere had a raw deal ... [They] should realise that just as they should realise where and how the Maori has gained from the accession of British sovereignty, and the work of successive governments. If they see

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<sup>236</sup> Ross to Alan Mulgan, 23 June 1957, MS 1442, 91:1, AR.

both sides of the picture, then surely there will be a greater understanding by both races.<sup>237</sup>

The presentation of *Te Tiriti of Waitangi* from a Maori perspective, while in itself a salutary exercise, was important also for the critical view it gave of the British. It was this, Ross felt, which was likely to have the greater impact on Pakeha children and on their understanding of the New Zealand tradition. Such criticism was probably more acceptable coming from a Pakeha than from a Maori writer. In reviewing a draft of *Te Tiriti* for Ross, Matt Te Hau commented, "I do detect throughout, your feelings about the Pakeha of that period – you have expressed it more forthrightly than I would have done in the past...."<sup>238</sup> He wondered if this would not create opposition to the bulletin. While there was a degree of opposition within the Branch during publication, it was related almost entirely to the religious conflicts Ross had portrayed during the Treaty signing. In retrospect, she was surprised at how much of the other material they had let through.

In 1963 Ross produced a second piece on the Treaty at a popular level. 'Waitangi 1840' was a short article written for the Waitangi issue of *Northland*, a locally based non-profit magazine. It described events surrounding the signing on February 6<sup>th</sup> 1840 and, although a lightweight review, was clearly intended in its detail and description to undermine the notion of the solemnity and sacredness of the occasion. She described, for example, the 'unseemly scrabble' among the chiefs, over the tobacco and the oddness of Hobson's attire as he rushed out to gather signatures following a misunderstanding over the meeting on the 6<sup>th</sup>. Colenso's concerns regarding the chiefs' understanding of the Treaty were given considerable space and Colenso was quoted at length. The article concluded by noting the irony that Hobson, while at first not even recognising the gathering as a 'regular public meeting', was

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<sup>237</sup> Ross to H. T. Robertson, October 1955, MS 1442, 90:3, AR.

<sup>238</sup> Matt Te Hau to Ross, March 1957, MS 1442, 91:1, AR.



confident by the end of the day that he had succeeded in attaining sovereignty over the northern part of the North Island.<sup>239</sup> As a forerunner to the 1972 article, she summarised the signing as 'the somewhat disorganised beginning of an undertaking that was never carried through to completion'.<sup>240</sup>

'Waitangi 1840' was essentially a narrative. Analysis was kept to a minimum, confined mostly to severe treatment of Busby and Williams in the drawing up of the treaty, comments regarding the intervention of Pompallier at the signing, and the summary of events described above. There were, however, lengthy notes attached in which she expanded her views on William's translation and on the Treaty signatures. In this way she was able to balance her account with a degree of scholarly evidence for those who were interested.

In her narrative treatment of the Treaty, Ross mirrored Buick's authoritative yet accessible storytelling style. Like Buick, she included descriptive detail supported with bulk quotation of primary sources. This replication may well have been intentional as, unlike some of her Centennial colleagues, Ross maintained considerable admiration for earlier historians such as Buick and James Cowan and their ability to engage readers at the popular level. Although she deplored Cowan's treatment of primary sources and frequent descent into sensationalism, she thought his stories created a spirit and atmosphere that was sadly lacking in more recent 'scientific' histories.<sup>241</sup> As with her school bulletins, she thought it important in popular histories that the factual weighting did not drown out their reader appeal. Making the past live

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<sup>239</sup> Ruth Ross 'Waitangi 1840', *Northland*: 21, Vol. 6, No. 1, 1963, p. 14.

<sup>240</sup> Ruth Ross, 'Waitangi 1840', p. 14.

<sup>241</sup> Ross to Mulgan, 22 May 1956, MS 1442, 91:1, AR.



was surely 'the historian's primary duty,' she wrote to Alan Mulgan. 'Three cheers for history that is worth reading.'<sup>242</sup>

In these two pieces, the atmosphere Ross created, in contradicting the accepted view of the Treaty, was almost as important to her as the factual information itself. Both *School Publications* and *Northland*, however, were relatively restricted media through which to air her scholarship. At a time when the Treaty was generally viewed uncritically, she could do no more than present a counter-perspective, to be absorbed or forgotten by her readers 'according to their abilities'.<sup>243</sup> Ross could never be sure of the impact she achieved. However, it is interesting to contemplate that among those schooled in the new curriculum and who read *Te Tiriti* as a class text in the late '50s there must have been children who later, as young Maori radicals and liberal Pakeha, began to confront the hypocrisy of the Treaty in the early 1970s.

When Ross published her work on the Treaty in the 1950s and '60s, her unorthodox approach had required a relatively subtle presentation. Opposition to the Treaty at that stage was still largely a Maori endeavour, operating within the bounds of Pakeha and governmental agencies, and expressed so mildly at times as to be ignored or misconstrued by Pakeha powerholders.<sup>244</sup> With the advent of a new generation of Maori activist groups such as Nga Tamatoa, the need for Pakeha to define the Treaty acquired a degree of urgency. As interest in the Treaty along the lines that Ross had been advocating increased, she could become more outspoken in her presentation. 'If I'm no longer just nuts on the subject of the Treaty', she wrote to Keith Sinclair as he edited

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<sup>242</sup> Ross to Alan Mulgan, 16 June 56, MS 1442, 91:1, AR.; Mulgan had for many years been the Literary Editor of the *Auckland Star* and involved in broadcasting. He contacted Ross with regard to a history series for radio and they continued to correspond for several years.

<sup>243</sup> Ross to Alistair Campbell, 18 March 1956, MS 1442, 91:1, AR.

<sup>244</sup> See for example, Donna Awatere Huata, *My Journey*, New Zealand: Seaview Press, 1996, p. 32.

'Texts and Translations', 'I can change down out of this rather apologetic personal gear.'<sup>245</sup> Where her earlier pieces had sought to address a 'felt tradition' by fostering an alternative set of feelings and impressions, 'Texts and Translations' was an open attack on the emotion and symbolism surrounding the Treaty. Rather than hoping subtly to redirect an erroneous tradition, it intended to halt it altogether. A basic tenet of empiricism was historicism, the necessity to understand a document on its own terms '*before* asking what can be extracted from it for the purposes of history'.<sup>246</sup> Only after the Treaty had been studied and understood from a documentary basis, Ross felt, would New Zealanders, Maori and Pakeha, be in a position to resume their debate and decide what place to accord the Treaty of Waitangi in the national consciousness.

Beaglehole's model placed the historian both within and outside the tradition. The historians' role was to provide critical analysis in an accessible and meaningful way. The opening and concluding paragraphs of 'Texts and Translations' served to locate the Treaty within the current debate by connecting it to the issues at the time of writing: resource management, ratification, and identity. Ross, as a citizen, was aware of and shared these concerns. The remainder of the article, however, claimed its authority from being outside of the tradition, in its objective and scholarly analysis, its scepticism and rational approach. As such the article worked its way systematically through a range of popular and academic beliefs surrounding the Treaty: the primacy accorded to the English text; its erroneous inclusion in the Waitangi Day Act; the importance of the Declaration of Independence; the role of Busby in drawing the Treaty; and so on, isolating each one, viewing it against the documentary evidence, and retaining or, more commonly, dismissing it accordingly. What was left at the end of this analysis was what Ross believed New Zealanders had to rebuild their tradition on.

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<sup>245</sup> Ross to Keith Sinclair, 13 April 1972, MS 1442, 83:4, AR.

<sup>246</sup> Langlois and Seignobos, p. 145. Italics as the original.

Compared with the celebratory view of the Treaty at the time, Ross left them with lean pickings. If New Zealanders wished to use the Treaty of Waitangi to found a tradition, she believed they needed to accept it as being the document in Maori, with all the contradictions and limitations that entailed. For Maori, for example, it would mean accepting that forests and fisheries were not specifically guaranteed by the Treaty; and for Pakeha, relinquishing the myth of a warmly welcomed and benign colonisation. An honest tradition required acceptance of both successes and failures. 'We cannot look at history objectively if we are concerned about whether great-grandfather always did the right thing', she warned the Auckland Historical Society in 1971.<sup>247</sup> If, when viewed objectively, the Treaty did not supply the answers New Zealanders were looking for, it would be more honest, she suggested, rather than superimposing their frustrations and desires onto an inadequate symbol, to look elsewhere.

One of the principal vehicles for misplaced symbolism, Ross believed, was the Waitangi Day Act 1960, which institutionalised the link between February 6<sup>th</sup> and the acquisition of British sovereignty. Not only was it flawed in its representation, in appending a copy of the English text signed at Waikato as 'the Treaty of Waitangi', it also served to perpetuate a hegemonic perspective. As Peter Munz had noted, the elevation of a particular point in time to an 'absolute point ... in relation to which all other events are dated' both created a convention and imposed a value judgement.<sup>248</sup> It established 'a criterion' through which a nation's understanding of itself became asserted, by determining 'the *kind* of event ... to be selected and the kind of events ... to be strung together into a historical narrative'.<sup>249</sup> When chosen retrospectively,

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<sup>247</sup> Ross, address to Auckland Historical Society, July 1971, MS 1442, 79:4, AR.

<sup>248</sup> Peter Munz, 'The Purity of Historical Method, Some Sceptical Reflections on the Current Enthusiasm for the History of Non-European Societies', *NZJH*, 5:1, April 1971, p. 7.

<sup>249</sup> Munz, p. 7. Italics as the original.

such dates became a way of 'summing up' and legitimating a 'certain way of looking at the past'.<sup>250</sup> To Ross this had been the purpose of the Waitangi Day Act. Celebrating February 6<sup>th</sup> as a 'national day of thanksgiving' legitimised a simplistic view of the Treaty, and sanitised the acquisition of New Zealand as a British colony.<sup>251</sup>

"The Naval Sunset call is [a] splendid spectacle,' she rote to Rear Admiral John Ross, 'but it does nothing to help us to brood over the past as it really was. In fact it diverts our attention from it, so that we forget the unseemly squabbles ... we forget that nobody got around to telling Hobson that the second meeting had been put forward a day so that he was caught unprepared ... But these are the things we should remember because they are symptomatic of the whole improvised nature of the so-called cession of sovereignty by the chiefs to the Crown.'<sup>252</sup>

Waitangi Day, she believed, served to overwrite failure and to bring the Treaty into the present on Pakeha terms. It served to secure the myth of success.

'Texts and Translations' used its empiricist base to claim authority over and discredit the current perceptions of the Treaty . Its detailed analysis and scholarly objectivity positioned it as the antithesis to the uncritical recycling of an emotive myth. Yet the individual and subjective elements of Ross' interpretation were also displayed. 'Texts and Translations' had its heroes, and antiheroes, and used emotive language to engage the reader in its argument and to carry it over into the concept of 'felt tradition.' Busby and his account of the drafting particularly, attracted a number of stinging adjectives:

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<sup>250</sup> Munz, p. 8.

<sup>251</sup> 'National day of thanksgiving', Ranginui Walker, *Ka Whawhai Tonu Matou, Struggle Without End*, 2<sup>nd</sup> Edition, Auckland: Penguin Books, 2004, p. 211; Ross to Alan Mulgan, 2 August 1957, MS 1442, 91:2, AR; Ross, letter to the Editor of *New Zealand Herald* (unpublished), August 1957, MS 1442, 91:2, AR.

<sup>252</sup> Ross to Rear Admiral John Ross, September 1973, MS 1442, 99:2, AR.

'inflated', 'distorted', 'exaggerated' and 'shrill'. He was described as 'leaping into the fray' with 'wild' arguments and his authorship of the Treaty was dismissed almost entirely from the perspective of the Maori text: 'So much', Ross stated, 'for Busby's claim to have drawn the treaty'.<sup>253</sup> Henry Williams, while treated less vehemently, also emerged with his reputation tarnished.

Ross may be regarded in these respects as being hypercritical. Claudia Orange, for example, writing 15 years after 'Texts and Translations', and drawing heavily on Ross and her same sources, was notably more supportive of Busby. Not being as emphatic in dismissing the English text, Orange suggested that he might 'be forgiven for the proprietary pride with which he discussed the treaty in later years'.<sup>254</sup> Similarly in assessing Williams' translation of the Treaty, she credited him with seeking to preserve, through his choice of rangatiratanga in Article Two, the authority of the chiefs and their 'right to exercise some control', at a time, when by international understandings, they may not have been regarded as having any at all.<sup>255</sup>

John Stenhouse, in a recent assessment of religion in New Zealand history, has noted a tendency toward hypercriticism by post-war historians generally. They were a generation who 'with Sinclair leading the way', played down the role of religion in history in favour of nationalist 'myths of origin' and had 'secularised' the past.<sup>256</sup> Ross, certainly, from the time of her facsimile introduction and School Publication work, was sceptical of the work of early missionaries.

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<sup>253</sup> Ruth Ross, 'Texts and Translations', pp. 150, 139.

<sup>254</sup> Claudia Orange, *The Treaty of Waitangi*, Wellington: Allen & Unwin, Port Nicholson Press with assistance from the Historical Publications Branch, Department of Internal Affairs, 1987, p. 37.

<sup>255</sup> Orange, p. 41.

<sup>256</sup> John Stenhouse, 'God's Own Silence, Secular Nationalism, Christianity and the Writing of New Zealand History', *NZJH*, 38:2, April 2204, pp.52-68, pp. 60-61.

She was not, however, indifferent to the role of the churches in New Zealand history, and, since her return to Auckland in the late '60s had given many voluntary hours to the sorting and preservation of Catholic archives. She wrote several small articles concerning these in journals and newspapers. Her concern with mission records was that they had been used too exclusively and too uncritically in New Zealand history, with the result that missionary views and prejudices, with regard to Maori especially, had continued to permeate historical interpretations into the present day.<sup>257</sup> In being sceptical of Williams' motives in translating the Treaty, she was applying to him, in equal measure, the 'methodical distrust' that empiricists sought to apply to all documents' authors. She believed this had been overlooked in Williams' case by previous historians because of his elevated historical reputation. Even so, she recognised within this process that there was a margin for personal interpretation, and that hers was a more critical view than many. 'How extraordinary', she wrote to Ormond Wilson of his interpretation of Williams in *Lords of the North*, 'that we should so often read H. W. differently.'<sup>258</sup> Ross more frequently gave credit to William Colenso, the mission printer, for his own scepticism regarding Williams' explanation of the Treaty, particularly the pre-emption clause, and for his 'courageous stand' at the Waitangi signing.<sup>259</sup>

The most outspoken piece in 'Texts and Translations' was its conclusion, with its eminently quotable description of the Treaty as 'hastily and inexpertly drawn up, ambiguous and contradictory in content, chaotic in its execution'. 'To persist in postulating that this was a "sacred compact"' Ross maintained, 'is sheer hypocrisy.'<sup>260</sup>

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<sup>257</sup> Ross, presentation to Auckland Historical Society, July 1971, MS 1442, 79:4, AR.

<sup>258</sup> Ross to Ormond Wilson, 23 July 1972, MS 1442, 99:1, AR.

<sup>259</sup> Ruth Ross, 'Waitangi 1840', pp. 11 – 12; 'Texts and Translations', p.145; Ross to Pat Earle, 29 April 1954, MS 94 / 23 Folder 8.

<sup>260</sup> Ruth Ross, 'Texts and Translations', p. 154.



Although based on dispassionate analysis, Beaglehole's model for history had ample room for passionate presentation. As with fiction, and with supposition, it was the technical accuracy of the underlying analysis that gave a historian the licence to engage in the dramatic or provocative to carry the message home. While 'Texts and Translations' won the respect of the scholarly community, as one of the 'most important articles' submitted to the *Journal*, its catchphrase was something that the general public could latch onto, quote at parties or argue about.<sup>261</sup> Between the seminar presentation and the publication of the article it had already come into popular use, being quoted by Maori MP Whetu Tirikatene-Sullivan and used on national radio. It was so hackneyed by the end of the year, in fact, that Ross considered not including it in the article.<sup>262</sup>

'Texts and Translations' soon became required reading in some university courses. But politicians, constitutional lawyers and Maori leaders and the general public read it also. Ross presented a series of radio talks on the Treaty and went on to act as a consultant for a television documentary.<sup>263</sup> In 1981 J.M.R. Owens used her catchphrase to introduce the Treaty in his chapter for the *Oxford History of New Zealand*.<sup>264</sup>

In 1982 Bob Brockie incorporated her conclusion into a cartoon on the Treaty for the *National Business Review*. 'Mrs Ross', Brockie wrote acknowledging his source, '[of] Auckland University history department and author of this universal put-down must be gratified to see her words passing into the vernacular.'<sup>265</sup> That perhaps was an accurate summary of Beaglehole's vision

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<sup>261</sup> Keith Sinclair to Ross, 7 April 1972, MS 1442, 83:4, AR.

<sup>262</sup> Ross to Ormond Wilson, 28 January 1973, MS 1442, 99:2, AR.

<sup>263</sup> Ross to Donald Hope Evans, 8 July 1976, MS 1442, 83:3, AR.

<sup>264</sup> J.M.R. Owens, 'New Zealand Before Annexation' in the *Oxford History of New Zealand*, W.H. Oliver (ed.), Wellington: Oxford University Press, 1981, pp. 28-53, p.51.

<sup>265</sup> Bob Brockie, 'Letters to the Editor', *National Business Review*, 1 March 1982, p. 26.



and the goal of a particular style of history in the post-war period: empiricism in the vernacular.

## CONCLUSION

Ruth Ross was a national historian. She did not, in the time of her Treaty research, wish to travel or to study topics abroad. 'I see people set off on the Great Trek,' she wrote to Beaglehole in reply to *The New Zealand Scholar*, 'and I see them return .... I am quite content to stay put.'<sup>266</sup> The questions she chose to research were, as Renwick suggested, those 'to be worked out here and nowhere else in the world.'<sup>267</sup> When she viewed the Treaty she viewed it in its New Zealand context only.

In claiming an empirical base for the Treaty, Ross emphasised the Maori text. This problematised the Treaty to an unprecedented extent. While the Treaty was interpreted from the English version, a celebratory notion of a people united under cession to the British Crown could prevail. As 'Texts and Translations' demonstrated, however, with the inclusion of the contrasting terms of the Maori text, the Treaty became a source of ambiguity and confusion. The attempt to create a nation under these conditions had been neither straight forward nor equitable. Ross' analysis left, as Keith Sinclair said of post-war empiricism generally, 'many cherished myths and legends ... sadly battered by fact'.<sup>268</sup>

By emphasising the Maori text, Ross brought the Treaty into a bicultural perspective. Rather than including the words and actions of Maori signatories

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<sup>266</sup> Ross to Beaglehole, 22 September 1954, MS 1442, 24:5, AR.

<sup>267</sup> W.L. Renwick, "'Show Us These Islands and Ourselves ... Give Us a Home in Thought:" Beaglehole Memorial Lecture, 1987', *NZJH*, 21:2, October 1987, p. 201.

<sup>268</sup> Keith Sinclair, 'New Zealand' in *The Historiography of the British Empire-Commonwealth: Trends, Interpretations and Resources*, Robyn Winks (ed.), United States of America: Duke University Press, 1966, p. 182.

within a framework of Pakeha accounts, she used those accounts and supporting sources to attempt to reconstruct a Maori interpretation of the Treaty text that was valid on its own terms. She posited this interpretation as being equal, if opposite, to those of Pakeha or the Crown. Substantiating a bicultural perspective in this way, through the use of documentary sources, was one area in which the goals of empiricism and national tradition could coincide. 'For the sake of accuracy as well as fairness,' Anne Salmond later wrote, formative encounters between Maori and Pakeha, needed to be 'rethought'.<sup>269</sup>

Ross' bicultural perspective, did not necessarily assist Maori in addressing their concerns over the Treaty or in their call for ratification. In as much as it provided academic base for Maori interpretation, it also undermined their campaigns by discrediting the Treaty process and emphasising the contradictory nature of the Maori text. 'I ask you' she questioned a service club in 1971, 'can a 'sacred pact' be 'faithfully and honourably kept' when we don't even know the meaning of its terms?.... You can't ratify a chimera.'<sup>270</sup> Ross believed Maori were as misinformed regarding the Treaty as Pakeha: 'They yap away about the 'rights' guaranteed to them by the Treaty, and they've never got around to reading the darn thing.'<sup>271</sup> However much she may have sympathised with Maori attempts to deal with the legacy of colonisation, she did not believe that the Treaty was the answer. In uncovering a degree of truth about a historical document or situation, one could not then use it as a 'corrupt means', no matter how worthy the end.<sup>272</sup>

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<sup>269</sup> Anne Salmond, *Two Worlds, First Meetings Between Maori and Europeans, 1642-1772*, Auckland: Viking, 1991, p.12.

<sup>270</sup> Ross, presentation to the Jay Cees, Auckland, September 1972, MS 1442, 79:2, AR.

<sup>271</sup> Ross to Alan Mulgan, 21 August 1957, MS 1442, 91:2; see also Ross to Ormond Wilson, 19 August 1972, MS 1442, 99:1, AR.

<sup>272</sup> G. R. Elton, *The Practice of History*, Sydney: Sydney University Press, 1967, p. 48.

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Salmond

Rather than focusing on the Treaty as a foundation for New Zealand society, Ross believed New Zealanders' needed to find some other means of achieving the bicultural understanding that the Treaty seemed to symbolise. For Ross, the path lay in the teaching of the Maori language, as both a functional tool of a bicultural nation and an indication of Pakeha willingness to meet halfway, to 'learn in order to understand'.<sup>273</sup>

Ross originally concluded 'Texts and Translations' with a call: 'If Waitangi 1840 held any real promise for the future, it was perhaps in Hobson's few words of halting Maori to each man as he signed: He iwi tahi tatou. Can we ever be one people till the Maori language is taught in schools to all our children?'<sup>274</sup> This ending was disapproved of by the *NZJH* editors and others who read the draft. It was regarded as a 'non sequitur'. The associate editor Professor Nicholas Turling cut it out and 'supinely' Ross agreed.<sup>275</sup> The issue of language with regard to the Treaty, however, was Ross thought, 'the guts of the problem'. She believed that the New Zealand education system, in its early attempts to eliminate the Maori language, had given up 'what may have been a genuine hope of real unity and equality'.<sup>276</sup>

Rather than a separate compulsory subject, Ross envisaged elementary Maori language and Maori history becoming integral to the New Zealand curriculum, as natural and as 'felt' a part of her New Zealand tradition as classic European literature was to Beaglehole's.

'What I'm after is a change in attitude, so that some instruction in Maori language, history &c. is part of the common core, so that just as kids

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<sup>273</sup> Ross to Rear Admiral John Ross, reply to 31 August 1973, MS 1442, 99:2, AR.

<sup>274</sup> Ibid.

<sup>275</sup> Ibid.

<sup>276</sup> Ibid.

are taught how to speak and write English and to calculate in and use decimal currency and all the other tools they are taught, so they should be taught how to pronounce Maori, and to learn something of the Maori history of their region as they learn something of its European history .... And I am in fact talking about the 'sort of colloquial Maori in common use today'. It's the living language which should come first.'<sup>277</sup>

Many Maori also shared this view. A petition was organised by Nga Tamatoa in 1972 to encourage the teaching of Maori in schools. As well as promoting Maori language as the key to Maori identity and Maoritanga, spokesperson Hana Jackson linked language to Paheka national identity: 'There is a growing realisation that we are a Polynesian country and that Pakehas, to be New Zealanders, must look to Maoris for identity. Nga Tamatoa contends that Pakeha children should learn Maori because it is a positive step towards equality and will make them more complete New Zealanders.'<sup>278</sup>

Recognising the Treaty as being the text in Maori was one step toward integrating Maori language into the collective national identity, teaching Maori in schools was another. It is clear that Ross made this connection between the Treaty, language and identity, even if Keith Sinclair and Tarling, in cutting the final sentence in 'Texts and Translations', did not.

Although Ross was aligned with some Maori in their generally critical view of the Treaty and the teaching of Maori language, there is no evidence in her correspondence to suggest that she, herself, maintained a post-colonial perspective. Peter Gibbons, in his overview of non fiction writing in New Zealand noted that 'many Pakeha writings, though they may in recent years be replete with ... biculturalist rhetoric ... do not contemplate any end to the

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<sup>277</sup> Ross to Ormond Wilson, 16 August 1972, MS 1442, 99:1, AR.

<sup>278</sup> 'Teach Maori to Close Gap, Petition Says', *Auckland Star*, October 14 1972.

Pakeha attempt to govern the indigenous inhabitants. The designation post-colonial properly belongs to those non-fiction works which give expression to the distinctive meta-narrative of Maori sovereignty.<sup>279</sup> In her systematic and critical appraisal of the Treaty documents and of the events surrounding the drafting and signing of the Treaty, Ross extended her judgement only to the means by which British sovereignty was, or was not, acquired in New Zealand through the Treaty. She did not challenge the right of the British Crown to obtain that sovereignty, or, other than to emphasise the lack of clarity, bring her discussion on *kawanatanga* and *rangatiratanga* up to the present day. Both her academic and popular writing served to problematise sovereignty only in the historical sense. Her empirical analysis provided the material evidence but left current debate to the activists and politicians. Her concern was that the evidence should be correct.

In her bicultural perspective Ross expanded the essentially monocultural understanding of a Pakeha New Zealand tradition constructed by Beaglehole and his generation of historians, but did not extend it to challenge the institutions of hegemonic control in the manner of the post-colonial historians who followed.

In her analysis of the drafting and signing of the Treaty of Waitangi, Ross demonstrated the extent to which its hurried and somewhat ill thought through execution undermined its effectiveness as a document of cession. Her intention was to historicise the Treaty text, to locate it clearly in the context in which it was signed. In doing so she hoped to free the Treaty from its retrospective burden as a symbol of national identity, and to free New Zealanders from the Treaty myth, the 'monstrous misconception of our own making'.<sup>280</sup> In the years following the publication of 'Texts and Translations,'

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<sup>279</sup> Peter Gibbons, 'Non-Fiction', in *Oxford History of New Zealand Literature in English*, 2<sup>nd</sup> Edition, Terry Sturm (ed.), Auckland: Oxford University Press, 1889, p. 90.

<sup>280</sup> Ross, presentation to the Jay Cees, Auckland, September 1972, MS 1442, 99:1, AR.

the institutionalising of the Treaty through the Waitangi Tribunal has lead to a vast new area of historical scholarship in New Zealand. In an outspoken essay on Tribunal histories, Professor Bill Oliver has recently drawn attention to the ways in which he believes 'Tribunal hermeneutic and history' have become 'less concerned to recapture the past reality than to embody present aspiration.'<sup>281</sup> '[B]y an appeal to timeless,' Oliver maintains, '- which in effect enables it to apply the standards of its own time to the events of an earlier time – the Tribunal was able to establish a basis for ideal colonising policies which, it believes, should have informed government action affecting Maori from the very beginning.'<sup>282</sup> To have adhered to a 'more academic way of doing history', he suggests, would have resulted in its 'political effectiveness' being 'severely curtailed.'<sup>283</sup> The dynamic with regard to the Treaty has been reversed, perhaps, but the problem remains the same.

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<sup>281</sup> W.H. Oliver, 'The Future Behind Us, The Waitangi Tribunal's Retrospective Utopia', in *Histories of Power and Loss: Uses of the Past – A New Zealand Commentary*, Andrew Sharp and Paul McHugh (eds.), Wellington: Bridget Williams Books, 2001, p. 9.

<sup>282</sup> W.H. Oliver, 'The Future Behind Us, The Waitangi Tribunal's Retrospective Utopia', in *Histories of Power and Loss: Uses of the Past – A New Zealand Commentary*, Andrew Sharp and Paul McHugh (eds.), Wellington: Bridget Williams Books, 2001, p. 12.

<sup>283</sup> W.H. Oliver, 'The Future Behind Us, The Waitangi Tribunal's Retrospective Utopia', in *Histories of Power and Loss: Uses of the Past – A New Zealand Commentary*, Andrew Sharp and Paul McHugh (eds.), Wellington: Bridget Williams Books, 2001, p. 21.



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