

INTRODUCTION

Late in its final session of the nineteenth century, New Zealand's fourteenth Parliament passed 'An Act to Provide for the Administration of Maori Lands'. Better known as the Maori Lands Administration Act 1900,¹ this legislation provided for the creation of 'Maori Land Districts' in the North Island, and for the formation of a 'Maori Land Council' in each District. Six districts and six land councils came into being within the next two years. Some 51 years and 10 months later, the thirtieth Parliament passed 'An Act to amend the Maori Land Act 1900'. This Maori Land Amendment Act 1952,² which abolished the seven Maori Land Districts then in existence, together with their associated 'Maori Land Boards'. Most of the powers, duties, assets, and liabilities of these boards were handed on to the Maori Trustee, with the balance defaulting to the Department of Maori Affairs.

The history of the Maori Land Councils (1900 to 1905) and their successors the Maori Land Boards (1906 to 1952) lends itself to a rough but ready division into three chronological periods. The first of these, from 1900 through to 1909, was a time of rapid change. The original powers and responsibilities of the land councils were greatly expanded as more and more Maori land of various categories came under their control, voluntarily and otherwise. The Royal Commission on Native Lands and Native-Land Tenure of 1907 to 1909 (the Stout–Ngata commission) was instrumental in transforming the Maori Land Boards from minor to major players on the land-administration scene. These boards soon became the principal Government agency in charge of matters relating to 'Native freehold lands'³ – particularly matters relating to their alienation. As the powers of the Maori Land Councils and boards were expanding, however, their composition became increasingly restricted. The original Maori Land Councils had a plurality of Maori members, most of whom were elected by the owners of the Maori freehold lands in each district. These land councils were then transformed into 'Maori Land Boards' in 1905 by the simple expedient of eliminating all elected members. One of the three Government appointees remaining was required to be a Maori, but in 1913 the boards would be reduced to two members each, both of whom were officers of the Native Land Court.

The second stage in the development of the Maori Land Boards, from the passage of the 1909 Act through to the early 1930s, was one of relative stability on the legislative and administrative sides, and of much activity with respect to the alienation of Maori freehold land by and through the land boards. The Native Land Act of 1909 consolidated a large number of statutes flying in loose formation into

1. Statutes, 1900, no 55. The Act received Royal assent on 20 October 1900.

2. Statutes, 1952, no 9 (29 August 1952)

3. That is, lands which had had their ownership determined by the Native (or Maori) Land Court. Those which had not been so dealt with by the court are usually referred to as 'Papatupu' or customary lands.

Maori Land Councils and Maori Land Boards

an integrated system for the control and alienation of such lands. This system remained largely intact for half a century or more. By 1911 close to a million acres of such land had been vested in the Maori Land Boards for lease or sale, or was being administered by them at the request of the owners. A portion had already been leased or (to a lesser extent) sold, and the disposal of the rest was the focal-point of board activity thereafter. But the boards also had a major role to play in the alienation of lands which did not come under their direct control. Not only did they negotiate many sales and leases on behalf of owners, but, beginning in 1908, all alienations of Maori freehold land had to be approved by the land boards. During the 1920s land board funds came increasingly to be used to provide Maori farmers with capital for land development. At the end of the decade these institutions were employed to kick-start Sir Apirana Ngata's ambitious programme for the development of Maori lands, initially by providing Maori with access to capital. Their use for this purpose reflected, in part, the lack of Crown agencies possessing either the constitution or the resources to provide Maori with the assistance required. The land boards were dragooned into service for want of anything better.

After this hectic phase passed, the range of activities carried out by the Maori Land Boards narrowed abruptly as their involvement with Maori land development was reduced, and particularly when their power of final approval over Maori freehold land alienations was returned to the Native Land Court in 1932. Like the Native Trustee, the land boards increasingly became an appendage of a revitalised and expanded Native Affairs Department. As time went on – and particularly as the leases of a large proportion of the 'Vested Lands' neared their end in 1957 – the land boards became increasingly dispensable. When the Maori Land Boards disappeared in the great Maori Affairs Department reconstruction of 1952, few rose in their defence. Fewer still, it would seem, mourned their passing.