

Summary

The Rohe Potae compact between Maori of the Rohe Potae and the Crown was negotiated in the years 1882 to 1885. After this, the main trunk railway was built through the district, the Native Land Court began operations in the Rohe Potae and the area was opened to European settlers. Rohe Potae leaders believed that in return for allowing the 'opening up' of the area, they had negotiated an agreement whereby the Crown would assist them to hold on to their lands, to retain iwi and hapu authority over them, and to allow their people to participate in the management of the district. They conducted negotiations with governments on this basis.

The movement in support of national prohibition of liquor, which reached its peak in the 1920s, had the effect of distorting Pakeha and government perceptions of the Rohe Potae compact. This in turn led to official inquiries in the 1940s and 1950s which concluded that the Rohe Potae compact itself never existed. However even a brief outline of the wider history of the agreements of the 1880s indicates that Maori of the Rohe Potae had good reason to believe that they had a compact with government. Their view of the compact, their attempts to use it positively and the bitterness engendered by their perception that the government had not honoured its compact undertakings, characterised much of the district's Maori response to government initiatives and further land alienations in the twentieth century.

The major types of alienation of Maori land in the Rohe Potae from 1900 to 1960, in terms of the amount of land alienated, were through sales and leasing. The Crown had already purchased about one third of the Aotea block by 1900. In the first half of the twentieth century land alienations through sales and leases were administered and facilitated through a new system consisting of Maori Land Councils and their successors, the Maori Land Boards. The Maori Land Councils/Boards also administered Native townships for much of the period from 1900 to 1960. Although the Maori Land Councils originally had significant Maori representation, within a short time Maori involvement was removed and the Maori Land Boards became almost indistinguishable from the Maori Land Court in the district. The Maori Land Court process and in particular its role in the fragmentation of title continued to cripple Maori efforts to retain and use their land.

Land purchases in the Rohe Potae in the twentieth century were conducted by both the Crown and private purchasers, although the Crown had significant advantages. It is difficult to precisely ascertain land alienations in the region after about 1910 because separate reports on the Rohe Potae were no longer produced. This information is only likely to become available as block histories are completed. Nevertheless, official records indicate that the district followed overall trends in Maori land purchases. In the North Island in general the period of greatest overall land alienation through purchases occurred between the years 1900 and 1930 - in particular, 1911 to the mid 1920s. In the Rohe Potae, a sustained campaign of Crown purchasing in 1906 and 1907 appears to have been followed by steady purchasing by the Crown until the mid 1920s. After this there seems to have been a steady stream of alienations largely to private interests through freeholding of leases. Until the 1940s this was assisted by the Crown. Although purchasing still continued into the 1940s and 1950s, by then much smaller quantities of land were involved.

Leaseholds originally appeared to offer a less damaging form of alienation than outright sales because they offered the opportunity for Maori owners to make an income from rents and then regain the land on the expiry of the lease. Maori noted their willingness to lease land as part of the Rohe Potae compact negotiations. However problems with leaseholds often meant that Maori owners had difficulty in gaining an income from rentals, and in being able to regain the land and continue farming after leases expired. The general effect of legislative measures such as those creating perpetual leases and requiring compensation for improvements was to create a barrier to Maori owners in regaining control of leased land. The Crown also responded to pressure from lessees by, for example, assisting them to acquire the freehold of leased Maori land.

Alienations through sales and leases involved increasingly compulsory measures. For example, large quantities of Maori land were compulsorily vested in the Waikato-Maniapoto Maori Land Board for leasing or sale after 1907. Other types of compulsory alienation such as public works takings accounted for relatively smaller quantities of land, but are likely to be considered significant because they seemed to involve such an overt contravention of Treaty guarantees and principles and of undertakings in the Rohe Potae compact. For instance, it seems as though compensation was never paid for land taken for the main trunk railway.

As purchasing declined in the 1920s, issues such as unpaid rates on Maori land became more prominent and were linked with the perceived lack of proper utilisation of Maori land in general. This was particularly apparent in the Rohe Potae from the 1920s, where land previously leased and farmed often seemed to revert to an idle and unutilised state once Maori regained control. Sir Apirana Ngata used the issue of unpaid rates to successfully push for government support of Maori land development schemes. From the mid 1920s to 1930s Ngata was successful in moving official and to an extent public opinion to support the schemes. By the time he resigned in 1934, the schemes had gained a momentum of their own, although after the second World War the administration of them became more bureaucratic and appeared to be less responsive to Maori concerns. While the land development schemes appeared to offer a means of avoiding further land alienations, they also raised new issues concerning Maori ownership, control and management of their land and the subordination of Maori interests to what was perceived as the 'national interest'.

After the Second World War, governments became increasingly reluctant to support measures that encouraged the further sales of Maori land, preferring instead to encourage Maori to develop and farm their land. However, Maori Land Boards and then the Maori Trustee still seemed willing to facilitate alienations. In addition, many measures designed to overcome problems with fragmentation of title and multiple ownership, such as those concerning 'uneconomic' interests, continued compulsory alienations. These involved relatively small quantities of land by this time but were significant in Maori eyes given the relatively small amount of Maori land remaining.