

A State of Infancy

THE ANTI-TRANSPORTATION MOVEMENT IN NEW ZEALAND, 1848–1852*



IN A DESPATCH of 5 August 1848, the Secretary of State, Earl Grey, asked the governors of the Cape Colony and the colonies in the Antipodes if they were interested in receiving convicts.¹ The response of the New Zealand public, when it learned of the proposal in April 1849, was united and vehement — they did not want convicts.² The editor of the *New Zealand Spectator and Cook Strait Guardian* described the prevailing attitude: ‘the sentiment [against the transportation of convicts] appears to be unanimous, both races, all classes of settlers, however they may differ on other subjects, are at least agreed on this’.³ This opinion was formalized in a number of petitions and memorials composed throughout New Zealand.⁴ Virtually all of these statements focused on the deleterious effects transportation of exiles would have on Maori, their development, and on their relationships with European settlers. The united response in opposition to the plan caused Earl Grey to drop quickly the idea of sending exiles to New Zealand, and ended the first phase of the anti-transportation movement.

Yet the idea of transportation was far more resilient. New Zealanders simultaneously remained vocal about their concern about freed and escaped convicts migrating across the Tasman Sea and conscious of the political advantages that might be gained by remaining involved in the inter-colonial anti-transportation movement. They were conscious that their society was in a state of infancy and needed to be nurtured as it matured. As the Australian colonies formed colonial anti-transportation societies, and eventually an inter-colonial organization, New Zealanders remained — while not in the forefront of these groups — active and crucial participants.⁵ The rationale for their involvement changed from the focus on possible effects convicts might have on race relations within their community to one which centred on the colony’s political relationship with the Imperial government. Involvement with the Australasian League offered New Zealanders the opportunity to present proposals from a vibrant Australasian confederacy to the Imperial government. Through this avenue a series of issues, including questions about land, emigration, constitutional reform and the more global concern about colonies’ roles within the British Empire, could be and were broached.

Of all the petitions and memorials to emerge out of New Zealand in opposition to transportation, perhaps the most interesting were two from Maori

communities. In July 1849, Governor George Grey included in one of his despatches a petition from Maori residing in the Auckland region protesting against the sending of convicts.⁶ Two months later he forwarded another petition — from Maori residing in the Cook Strait region — also arguing against transportation.⁷ These expressions of discontent with British planning came from a wide portion of Maoridom. The petitioners lived in different parts of the North Island, included leaders from a number of tribes, and were representative of a range of Maori interests.

Missionary influence among the Maori community was significant. Witnessing most of the signatures on both petitions, it seems likely that European missionaries were crucially involved in helping to foster and to demonstrate Maori opinion regarding the potential use of New Zealand as a penal colony.⁸ William Brown detailed his opinion regarding the role of missionaries among the Maori community in a letter to the *Southern Cross* on 21 April 1849. 'When the natives ceded the sovereignty of this territory to Great Britain, they did so on the implicit faith that their country was not to be converted into a prison house by letting loose upon them the criminals of Great Britain. That such was the implied understanding of the natives, may be further gathered from the fact of the missionaries having been the *main*, or, more correctly perhaps, the *sole* advisers of such cession of sovereignty, and but for whom the Treaty of Waitangi would not have been executed.'⁹ Brown went on to suggest that the missionaries made it clear to the Maori community that the introduction of criminals would invalidate their struggle to create a well balanced society and would destroy their lives. In the *Maori Messenger*, a newspaper published for Maori by missionaries both in English and in Maori, a penal colony — Australia — was described for any Maori who might still be unconvinced. The settlements across the Tasman were depicted as wicked lands: 'a place to which to banish thieves and other bad men who had broken their country's laws, and who, as a punishment, were sent to a new and savage land'.¹⁰ Despite the missionaries' fervent attempts to influence the indigenous community, however, it would be an error to assume that these petitions, and Maori protests in general, did not reflect the genuine will of their community.

The increased use of petitions and other forms of communication by Maori reflected their growing understanding of British custom and procedures. This usage represented an effective method of communicating opinions and attitudes in the driving desire to preserve traditional culture and practice, or as Keith Sinclair argued, 'Maoris imitated European organization . . . largely in order to resist the Europeans'.¹¹ Not only did the indigenous population desire to resist encroachments, but 'there was a resentment of European authority and a tendency to reject it'.¹² Sinclair contended that this development was apparent in the increasing number and political potency of letters sent to the governor, as well as the petitions and memorials forwarded to the Queen. The Maori petition from the Auckland region explained that they had been encouraged to write and sign this petition because, 'You [Queen Victoria] were pleased with the letter which we wrote before'.¹³ While the missionaries probably assisted the Maori in expressing their concerns and would have supported the stance against the transportation of convicts to New Zealand, it would be an incorrect reading of

the evidence to assume that Maori were not the primary advocates for their own interest.

Maori had ample personal experience with convicts and transportation in the years leading up to this proposal; they were no strangers to colonial Australia, the Pacific rim, and English society. The trading and communication links between Australia and New Zealand were extensive. In 1832, for example, some 35 voyages were made between New Zealand ports and Sydney — these connections grew as settlement in New Zealand increased in the early 1840s.¹⁴ Maori did more, however, than merely chat with crewmen relaxing on liberty; as Marion Diamond observed, Maori and Pacific Islanders composed a significant percentage of the crews of whalers and traders.¹⁵ Many of the Maori sailors and whalers visited Australia, as well as other ports throughout Australasia and the Pacific. During the late 1840s and early 1850s, the Sydney pilot boat was crewed by three Maori.¹⁶ And as Claudia Orange revealed, many of the skiffs that raced in Hobart Harbour during the late 1830s were crewed by professional Maori crews.¹⁷ Other Maori travelled to Australia and England either to be educated at the Church Missionary Society's Schools, out of a simple desire to travel, or to negotiate directly with the Imperial government. The petition from Maori who lived in the Cook Strait region noted that they had experience with convicts from 'the testimony of our own countrymen who have visited Port Jackson — and Hobart Town'.¹⁸ This range of experience with the Anglo-Australian world provided Maori with the comprehension and knowledge of what the transportation of convicts to New Zealand might mean to their communities: 'If they are allowed to come to New Zealand this Island will become like unto Port Jackson and Hobart Town.'¹⁹

The vision of a convict society was probably reinforced by five Maori who had served sentences in Van Diemen's Land from 1846 to 1848. In 1846, Matene Tikiahi, Te Kumete, Te Waretiti, Hohepa Te Umora, and Te Rahui were tried before a military court in Wellington for rebellion. Under questionable circumstances, they were sentenced to transportation to Van Diemen's Land for the term of their natural lives. After extensive communication between the governors of New Zealand and Van Diemen's Land and Secretary of State, Earl Grey, the men were pardoned early in 1848. On 1 April 1848, all returned home, except Hohepa Te Umora, who had died in Van Diemen's Land.²⁰ Little is known about their subsequent lives. Yet the men were from part of the Cook Strait region where opposition to the shipment of convicts was particularly vehement. The name Rahui appears on the petition from that region protesting the plan.²¹ While it is impossible to determine if he was the same Rahui, it certainly seems likely that these individuals described their imprisonment and experiences to a Maori audience. Undoubtedly these descriptions would have helped solidify local opinion against transportation.

By 1847, however, many New Zealanders had first-hand experience with convicts without leaving home. During 1842 and 1843, some 123 juvenile offenders — so-called Parkhurst Boys — arrived in New Zealand.²² Edward J. Wakefield portrayed these youths as teachers of thievery and indicated that the eventual result of their introduction was increased Maori resentment of Europeans.²³ Additionally, numerous convicts either escaped from the Australian

penal colonies or left after finishing their sentences, and settled in New Zealand, particularly near Cook Strait. The petition from the Maori from the Cook Strait region referred directly to this history and suggested that the presence of convicts had 'hardened the hearts of some of us'.²⁴ The authors of this petition were not just giving an account of past events; they were also warning of the consequences of sending convicts to New Zealand.

These two petitions were craftily conceived and written — the design was obviously to play on the hopes and fears of the settlers, and the colonial and Imperial governments. Maori convincingly showed how the introduction of convicts would both degrade their society and impact on settlers. The petitions warned that convicts would go to Maori villages, demoralize the women, and teach the men evil ways. The implications of this infection were numerous and severe. Perhaps the most debilitating effect was that they would be taught 'wickedness, in opposition to the teaching they derive from the Ministers of Religion, in the Schools, and in the Christian Faith'.²⁵ This instruction would naturally lead to more conflict with European settlers. The authors of the petition from the Auckland region knew this argument was a winner and they pushed it even further by suggesting that even if the convicts and Maori did not interact, the convicts' presence would still lead to increased tension with the Pakeha community. They argued that exiles would steal European property and the native population would be blamed. This accusation would make the indigenous community 'very much displeased. [I]t would be bad; evil would spring up'.²⁶ This statement more than hinted at the possibility of increased tension and conflict between the Maori and Pakeha communities. Given the recent violent conflicts with Maori,²⁷ the concern was genuine and was not overlooked by the British administration; it was also a tactic designed to play on the hopes that the Pakeha and the colonial government had for the 'improvement' of the indigenous populace.

The authors of these petitions were sophisticated political operators; they realized that the arguments on the *realpolitik* situation within New Zealand, while compelling, might not be sufficient to sway the Imperial government from deciding to ship exiles to New Zealand. So along with their arguments as to the practical reasons why convicts should not be sent, they also included a strictly legal rationale. Agreements made by the British government with the Maori people, the authors of these petitions contended, promised that no convicts would be sent to New Zealand. The Auckland petition referred to early agreements: '[When] the rules were laid down for the settlement of this Island . . . It was . . . promised that thieves and such people should not be conveyed hither.'²⁸ There is the sense that if convicts were sent to New Zealand, then Maori would consider all the previous 'agreements' made with the British government to be abrogated.

The overall message conveyed in the Maori petitions was a simple and straightforward threat — that failure to prohibit the settlement of convicts in New Zealand would result in drastic consequences. And the responsibility for these results would rest squarely on British authorities. While the form that Maori used to express their sentiments was one with which the British government was familiar, the rationale behind the petitions clearly demonstrated

that Maori were capable and independent political actors. The response of the European settlers and the colonial government suggested that they did not want to see Maori needlessly harassed and that they, too, were genuinely concerned about the consequences of exiles coming to New Zealand.

As the settlers discussed the possible impact that the shipment of convicts might have on their society in the late 1840s, the focus on the impact on Maori became a continual refrain. The worry about Maori response to British authority was a long-standing concern among the British community.²⁹ In a letter to the *Sydney Morning Herald* in 1845, 'Philo Tangata Maori' commented that 'Their [Maori] hatred is against foreign authority, not against foreigners. . . . New Zealanders are naturally proud, and if they think their rights and privileges are in the least invaded, they will fight desperately, and even lose their lives in protecting themselves'.³⁰ Richard Bennett, in a private letter to Earl Grey, described the impact that convicts could have on Maori, using a similar rationale: 'Were New Zealand contemplated [as a location for exiles] it would be the most suicidal act ever committed by a British Minister, to introduce the very scum of vice among a comparatively large Native population, powerful for their numbers, accustomed to warlike pursuits, of a powerful frame, and now in a state of semi-civilization, among whom, some dozen designing villains could, almost in a few hours, deprive the country of the gem of her Australian possessions'.³¹ The question about the possible effects of the contamination of indigenous peoples, considered to be in 'a state of infancy', was a consistent focus for both New Zealand settlers and the British government.

Virtually all of the European petitions against transportation, in the first phase of the movement, relied on this argument. The petition of the European residents of the Auckland region provides a good example of how settlers explained the situation and their concerns to the Imperial government. 'It is of the highest importance to the peace and prosperity of this territory, that the Europeans brought into contact with the Aborigines, should be as much as possible . . . of a different description and character from the . . . "Exiles"'.³² While the settlers admitted that there was a need for labour, they felt certain that the experiences in the neighbouring colonies showed that gains in labour would be more than 'counterbalanced by the loss of character to the colony, and the degradation and the crimes which must necessarily follow [from the introduction of the convicts].' They were unwilling to 'degrade the character of . . . [their] settlements' in order to solve their labour problems.³³ And in the eyes of the editor of the *New Zealand Spectator and Cook Strait Guardian*, the shipment of exiles would 'neutralize and destroy all that has been done for their [Maori] improvement or social advancement by the proposed introduction of these missionaries of crime and social disorder'.³⁴ Pakeha universally agreed — they would take the poor, but they would not risk their adopted country and risk the safety of persons and property by accepting exiles.

There was the sense that Maori were at a crucial point of transition. The *Maori Messenger* of 14 February 1850, compared them with ancient Britons: Maori were urged to 'strive to become as highly civilized as you are by nature acute, intelligent, and brave'. Yet with improper influences, like those possible with the transportation of convicts, they might be transformed into mere

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'savages'. They would become, 'thoroughly vicious, the restraints which now operate on their minds in producing obedience to the law would lose its force'. European commentators saw a tug of war between missionaries and convicts in determining how Maori would 'develop'. A decade earlier, William Hobson had held no doubts about the conflict among Europeans in influencing the indigenous community: 'Heretofore the great and powerful moral influence of the missionaries has done much to check the natural turbulence of the native population; but the dissolute conduct of the lower orders of our countrymen not only tends to diminish that holy influence, but to provoke the resentment of the natives, which, if excited, would produce the most disastrous consequences'.³⁵ Maori were seen throughout Australasia and by interested Britons as a people who could be moulded in their image: childlike, they could be brought up as either responsible citizens or as disreputable individuals.

The question was not merely limited to the transportation of British criminals to the Antipodes. On 15 January 1852, the governor of Van Diemen's Land, William Dennison, wrote to Earl Grey concerning the difficulty of sending indigenous prisoners from any colony to Van Diemen's Land. This letter highlighted the express wish of the British government that native peoples should be segregated from European convicts to avoid contamination. 'Your Lordship considers it of utmost importance that natives whom it may be necessary to punish by imprisonment or hard labour should be so dealt with as to have no opportunity of communicating with white persons also under such punishment'.³⁶ The question of the treatment of transported and imprisoned Maori and other indigenous people directly related to the issue of New Zealand receiving convicts. Established British colonial policy provided effective ammunition in the battle against transportation.

Influential New Zealanders seemed well aware of the Imperial government's opinion on this issue and used it to their advantage. The Legislative Council, Justices of the Peace, and Grand Juries of the province of New Munster (a New Zealand province) focused their petitions opposing the introduction of convicts on the issue of Maori.³⁷ In August 1849, Mr Justice Chapman of New Munster wrote a report about crime within the province since 1844. Chapman's analysis suggested that at least one third of the crimes in that period were committed either by the Parkhurst Boys or by convicts who had left New South Wales or Van Diemen's Land. The desire to chronicle the precise impact of criminals on New Zealand society was an attempt to link the presence of convicts directly to the behaviour of the indigenous community. The figures also included a category of Maori who were convicted. In tracing a seemingly high correlation between crime committed by Maori and by convicts and the Parkhurst Boys, Chapman tried to prove that transportation would lead to a further degradation of Maori society. While Chapman failed in his attempt to show a correlation, the question of the possible effects convicts would have on Maori provided the most effective basis on which to raise the banner against transportation.³⁸

When Earl Grey made the proposal to send convicts to New Zealand and other colonies, the reaction of New Zealanders was immediate. In replying to each of Governor George Grey's despatches in opposition to the proposal and to the numerous petitions and memorials, the Secretary of State replied that he

would not force convicts onto New Zealand.³⁹ One comment in response to an early despatch by Governor Grey read, 'Certainly. Inform the Gov. no [convicts] will be sent.'⁴⁰ New Zealanders were officially informed of their victory when a despatch written to Grey from the Secretary of State, stating that no specific plans had ever existed to send convicts and that none would be sent, was published in a number of local newspapers in early 1850. Publication of this news ended the first phase of the anti-transportation movement in New Zealand and marked the conclusion of Maori involvement in the debate. The question did not die, however, but was transformed from a debate about the working of New Zealand society and the condition and place of Maori within the community to a dialogue concerning inter-colonial organizations and Imperial politics.

Earl Grey's decision, as a result of the unified reaction of the New Zealand colonists, not to send exiles to New Zealand was greeted with appreciation and relief throughout the community, but the ending of the threat to send convicts to New Zealand did not signal the end of New Zealanders' involvement with the movement. Their participation continued, though with a different focus and with different tactics. The focus of New Zealanders' involvement moved from their islands and the British Isles to include the rest of Australasia.

Yet the tone and dramatic concern New Zealanders evinced throughout the late 1840s diminished. As F.D. Bell from Nelson indicated in a letter to Gilbert Wright, the secretary of the New South Wales Anti-Transportation Association, the announcement of the decision not to send convicts lessened public discussion and weakened the tenor of debate. 'The declaration . . . of his [Earl Grey] having dropped his intention of sending convicts . . . to this country. . . combined to make the subject one of less pressing interest than it used to be. . . [yet] I shall endeavour to obtain the signatures of the inhabitants of this place to a memorial similar to yours'.⁴¹ This letter did not signify the quiet finale of the debate about the transportation of convicts to Australasia and did not mark the end of the movement in New Zealand.⁴² Instead, the rationale for New Zealanders' involvement in the anti-transportation movement changed from a focus on effects within New Zealand to using the subject as a platform on which to explore a range of opinions concerning relations with Britain and to foster the maturation of New Zealand society. While the indirect arrival of convicts from the United Kingdom via Van Diemen's Land remained a necessary part of the debate, the movement became a component of organized colonial agitation for a changed relationship with Britain.

Not all New Zealanders, however, were convinced that any useful purpose would be served by remaining connected with the debate. A letter written by Charles Hursthouse to an unknown correspondent and published in the *Lyttelton Times* expressed his concern that New Zealand could be viewed by Britons as 'a kind of Tasmania — a penal colony in full bloom, now suffering all of the evils of convictism'.⁴³ Connected with this statement was the suggestion that New Zealand might have been better advised to drop the issue in order to maintain its unsullied reputation. The concern over New Zealand's reputation also provided an argument for continued action: it appeared regularly throughout the New Zealand newspapers. Despite some initial confusion and doubts about whether to proceed with protests, the concern and desire to ensure New Zealand's

purity eventually guaranteed New Zealanders' involvement.

The standard depiction of the Australasian colonies by political writers was, like the previous descriptions of Maori, that colonists and colonies were in a state of infancy. 'Voyageur', an anonymous correspondent to the *Sydney Morning Herald* from New Zealand, indicated that the shipment of convicts would lead these childlike settlements astray. 'Upon what *principle* of reason, or reasonable policy, are infant settlements, many of them, as this of New Zealand, with brave and intelligent aborigines in the first dawn of civilization, — upon what system of fiendish policy, is their youth to be infected with the moral leprosy of an old and distant nation?'⁴⁴ The conception of the mother country was not just a handy political model. The symbolism of the mother country–child colony relationship dominated political debate and provided colonists with a concrete and very real sense of where they sat in Imperial politics. This relationship required both colonial obedience and Imperial goodwill.

Yet colonists did not completely submerge themselves in this symbol of Imperial relations. Another component of their political thought was the understanding that colonists were Britons and, as such, retained ancient traditions. If their rights were impinged, they retained the right and obligation to act to redress the wrong. Interestingly, in the colonial setting, political symbols combined. It was the implied duty of colonists to either right the mother–child relationship if possible, or, if that was impossible, to act to make their colony independent. The question of independence was understood to emerge either with the maturation of the colony or the abuse of colonies by mother England.

These behaviours would not necessarily be in opposition to the Crown. Instead, colonists saw themselves, as North Americans had some 75 years earlier, as suffering under the oppression of misguided ministers.⁴⁵ This duality between the government and the monarchy allowed New Zealanders to cast Secretary of State Earl Grey as consummately evil. A poem published in the *Southern Cross* in May 1850 refers to Earl Grey and the decision to send convicts to the colonies — in this example, to the Cape Colony.

Black, White, and Grey.

Mankind had long disputed at the Cape,
 About the Devil's colour and his shape;
 The English held that he was black as night,
 The Hottentots contended he was white;
 But now all split the difference, and say
 They feel quite certain that the Devil's —*Grey*.⁴⁶

The humour of this poem does not lessen the political importance of its message. Earl Grey was held to be the cause of the problem.⁴⁷ And rebellion would be an act against an evil minister and in support of colonists' rights as Britons.

The question of the transportation of convicts to the Antipodes put particular pressure on the mother–child relationship. In his letter to the *Sydney Morning Herald*, 'Voyageur' commented that he feared that the transportation of convicts to Tasmania could become the first cause of Australasian independence. New Zealand, he hinted, might not remain outside the fray. The failure of the mother

country to act appropriately could well force colonists to cut the ties. 'Is it because the *savage* colonists are weak, and the *civilized* mother country strong? If so, the duration of the infliction must be a mere question of time. For the yoke, if persisted in, will ere long be spurned.'⁴⁸ John Godley, a central figure in the settlement of Canterbury, as well as an important figure in both Australasian and Imperial politics, also feared that the question of convicts would cause rebellion in the colonies. He expressed his concerns to the Secretary of State, William Gladstone, in a letter of December 1849. 'I am now convinced . . . [that] the real danger is not that the despotism of the Colonial Office will last ten or twenty years; not that the colonists will be oppressed by it for an indefinite time to come; but that it may last just long enough to break up the British Empire; a consummation which, at the present rate of progress, will not perhaps take a great deal more than ten or twenty months'.⁴⁹ And in a proclamation from the anti-transportation delegates to the colonists of Australasia in 1851, it was observed that 'even [from] New Zealand, we have satisfactory evidence of a state of preparation of the conflict which may yet be necessary in defence of our Common welfare'.⁵⁰ Despite the claims that independence and warfare might be a natural result of Imperial policy, there is no evidence that anyone prepared for these potentialities.

While no military preparations for conflict occurred, other political initiatives were made in order to combat effectively the Imperial policy. Perhaps the most important aspect of the anti-transportation movement in Australasia was the creation of inter-colonial organizations. Even before the decision not to ship convicts was announced in New Zealand, wily political operators considered the advantages of an inter-colonial league. An editorial in the *New Zealander* of 14 March 1849 stated that: 'We have more than once advocated the advantages of a colonial league, in constitutional resistance to the oppressors of the Colonial Office . . . [and] we never saw so momentous an occasion for union and Unanimity of Colonial purpose as now. We are of the opinion that independently of individual colonial protests and public meetings — local committees might be formed to concert and co-operate with a central committee . . . to collect facts and to demonstrate that every colony is agreed, and that they virtually constitute a firm but loyal SOUTH COLONIAL, ANTI-ANGLO POLLUTION LEAGUE.' The proponents of this association saw the formation of organizations as an important element in defeating the decision to continue transportation to the Antipodes and in providing a pulpit from which they could loudly proclaim their opinions on a variety of matters.⁵¹

Correspondence between colonial organizations and meetings were the lynchpins of this political manoeuvring. Gilbert Wright wrote to Auckland's *Southern Cross* newspaper in December 1850, providing news about a recent public meeting in New South Wales. The meeting decided that communication should begin with the other Australasian colonies. This initial correspondence to Auckland and Wellington residents included a call for New Zealanders to put their names to the petition passed by the public meeting in New South Wales.⁵² In the 'Report of the . . . New South Wales Association for Preventing the Revival of Transportation', published just four months later, the objectives included the goal to establish and maintain 'an interchange of intelligence and sentiment

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between all the Australasian Colonies'.⁵³ The New South Wales Association, and Wright in particular, played the central role in communicating with New Zealanders about this issue.

In March 1851, the *Southern Cross* contained detailed accounts of the formation of the Australasian League.⁵⁴ The Australasian League was the organization that emerged from the combination of the Australian and, eventually, New Zealand opponents to transportation. The correspondence became more significant in July 1851 when the *Southern Cross* reported the receipt of a number of papers from the newly formed Australasian League, including tickets of membership. This information marked the first opportunity residents of Auckland had to join a political body that represented all the Antipodes. The editors of the *Southern Cross* feared, however, that the discovery of gold in New South Wales weakened the impetus for joining the League and that only a few individuals would continue to concern themselves with the issue.⁵⁵ The editors were wrong and at least until early 1852 petitions and tickets of membership for the Australasian League were available in newspaper offices throughout Auckland and public interest in the question was maintained.⁵⁶

The first news from the Australasian League arrived in Lyttelton in January 1851, when a petition to the Queen was printed in the *Lyttelton Times*. Communication between New Zealanders and Australians discussing this issue was considerable. A report published by the Committee of the New South Wales Anti-Transportation Association in March indicated that communication was underway with all of the Australasian colonies except Western Australia.⁵⁷ The author went on to point out that New Zealanders had 'most cordially responded' to these remonstrances.⁵⁸

The subject of this extensive communication was the attempt to get 50,000 people to sign a petition to the Queen, and another to the Parliament, in opposition to the transportation of convicts.⁵⁹ By May 1851, the petition, with an initial 10,700 signatures, was forwarded to British authorities. Included among these were signatures from residents of Auckland, Wellington, Nelson and Canterbury.⁶⁰ New Zealanders were crucial participants in the opposition to the shipment of convicts to Australasia.

The editors of the *Lyttelton Times* received further correspondence from Wright in September 1851. Included with the letter, as in Auckland, were informational papers and tickets of membership for the Australasian League. While Wright expressed unhappiness that representatives from Canterbury did not attend any of the League conferences held in Australia, he hoped that the colonists would become more consistently involved with the movement.⁶¹

A month later, a meeting was held at the White Inn in Christchurch on the question of joining the Australasian League. The meeting opened with a long and impassioned speech by Godley. Following the conclusion of his remarks, which included the full text of the 'League and Solemn Engagement of the Australian Colonies', four resolutions were proposed. The first three expressed the colonists' opinion that their interests were bound with the Australian colonies and that convicts should not be sent to any part of Australasia. Each of these was passed unanimously. The final resolution, also carried, urged the inhabitants of the settlement to join the Australasian League and appointed a committee of

12 men with the responsibility of 'procuring the adhesion of members and otherwise promoting the objects of the league'.⁶²

Australians encouraged New Zealanders' involvement for a number of reasons, undoubtedly including the simple desire to end transportation to the Antipodes. As Charles Blackton first suggested, however, Australian interest was not entirely selfless.⁶³ Australians lobbied New Zealanders in order to justify the use of the term Australasian, which conveyed the sense of a far more widely based movement. In March 1852, the *Sydney Morning Herald* reported the impact that the Australasian League had on the English press and influential people in England. The development of the organization was '... a sure pledge of victory. An organisation so vast, comprehending the entire Australasian group, so complete in all of its parts, so systematic in its operations, so resolute in its spirit, so uncompromising in its demands, and withal so righteous in its principles, will, they maintain, command the respect of all parties in the mother country, and be a more potent instrument than even our gold fields in putting a speedy end to transportation.'⁶⁴ Australians hoped that the inclusion of New Zealanders would have uses beyond that of simple propaganda. Wright, in his September 1851 letter to the editor of the *Lyttelton Times*, revealed that Australians were anxious to have New Zealanders' involvement in order to gain the voice of their agents based in London.⁶⁵ Gordon had been even more obvious a year earlier when he stated that: 'The able and influential gentlemen who have directed the colonization of New Zealand form a compact and united squadron *within the walls* of the House of Commons . . . It is in the House of Commons that our battle is to be fought. Let us therefore endeavour to secure the assistance of this powerful body of men. Let us open communications with the principle [sic] inhabitants of New Zealand. Let us leave no stone unturned. . . . Let the *united* voice of *all* the colonies of the Pacific be raised in one loud uncompromising protest.'⁶⁶ Blackton was accurate: Australians desired New Zealanders' involvement not just for benevolent reasons but out of political necessity.

The rationale for New Zealanders' involvement included a number of issues outside of the main anti-transportation focus. The anti-transportation organizations were seen by many as a pulpit from which a new relationship with Great Britain could be preached. An editorial in the *Sydney Morning Herald* in March 1852 looked forward to the success of the Australasian League and mused about whether the organization could be put to other tasks. '*That* victory gained, it will remain for the colonists to consider whether even then the LEAGUE will have finished its work; whether other battles have not to be fought, and other triumphs to be achieved: and whether better agencies can be derived for the accomplishment of these ulterior objects than the LEAGUE already supplies'.⁶⁷ One of the questions revolved around which governmental bodies bore responsibility for fiscal matters. New Zealanders worried that the increasing responsibility they were taking for police and gaols would result, particularly with additional convicts in the colonies, in colonial governments subsidizing Imperial government programmes.⁶⁸

Another issue New Zealanders linked with the anti-transportation movement was the desire to obtain colonial constitutions and other political reforms. The aspirations of the Australasian colonies to obtain updated governments were

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seen in the light of inter-colonial union over transportation.⁶⁹ Robert Lowe, formerly a New South Welsh parliamentarian now in England, suggested to Wright that the Australasian League might be particularly effective in presenting a compelling statement to the Imperial government:

In the substance of this protest [anti-transportation] every colonist must agree: but it has occurred to me that, as the Constitutions of all the Colonies are in the respects complained of exactly alike, a joint petition in the sense of the protest from all the colonies, backed by public meetings held simultaneously . . . might produce such an effect on the public mind here . . . as to obtain for all the colonies at once that which they vainly seek in detail . . . I congratulate the Australasian colonies on their union, and I trust that they have joined hands, never to part till all that is needed to complete their liberties is achieved.⁷⁰

Other issues, including land regulations and federation, were also broached in the discussion.⁷¹ After much pressure for the Australasian League to raise more issues with the Imperial government, delegates finally decided in 1852 to limit their efforts to the question of transportation of convicts. The reasons provided were that, given the wide range of people involved, there was no commonality of other concepts on which to lobby; that as money was donated to this cause, the anti-transportation issue deserved undivided attention; and lastly that, 'we deem it of the highest consequence that political societies should . . . avoid the danger of usurping the proper functions of government'.⁷²

This decision, and the growing belief that the gold rush would soon end transportation, marked the end of the Australasian League. New Zealand involvement, while not playing a central role in the movement, was crucial. This movement marked the beginnings of colonial thought on the question of federation and impacted on issues well outside of the narrow focus.⁷³

While the question of receiving British convicts never dominated New Zealand political discourse, the debate about accepting exiles in the late 1840s, and the questions it created, marked a key moment in the maturation of New Zealand society from a 'state of infancy'. The initial public focus on Maori exposed the complex tripartite mesh of relationships between Pakeha, Maori and the colonial government, and revealed how each group viewed the others. The issues that subsequently emerged forced New Zealanders to consider their vision of and place within Australasia and the character of their relationship with the British government and empire. The proposal to send convicts to New Zealand proved to be both a challenge to existing relationships and an opportunity to consider a variety of alternatives. While the anti-transportation movement was short-lived and did not lead to any specific reforms of colonial policy beyond the ending of transportation to the Antipodes, it provided a catalyst for many colonists to consider and challenge both the character of their society and its position within the Imperial structure.

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NOTES

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1 Secretary of State Earl Grey to Governor George Grey, despatch 68, 5 August 1848, Colonial Office (CO) 406, piece 8. This record, like all the following government documents, is held in the Public Record Office, London. Colonial Office documents are accessible in Australian and New Zealand libraries, through the Australian Joint Copying Project, on microfilm.

2 The only exception to this unanimity was a letter sent by Captain Marlow requesting the use of convict labourers on fortifications. George Grey forwarded the letter, but made his disagreement with the idea obvious. Enclosure in Grey to Secretary of State W. E. Gladstone, despatch 101, 6 October 1846, CO 209, piece 45.

3 *New Zealand Spectator and Cook Strait Guardian*, 8 August 1849; see also *Southern Cross* (SC), 17 March 1849.

4 The exception to this trend appears to be women. In Victoria, South Australia and New South Wales there is evidence that women were, at times, encouraged to and did become involved in the debate. The organizers of meetings and petitions believed that this was an issue that concerned community morals and was, therefore, within women's domain. There is no evidence, however, that any New Zealand women signed a document, expressed an opinion through any publication, or even attended any public meeting.

5 Charles Blackton, 'New Zealand and the Australian Anti-Transportation Movement', *Historical Studies*, 1(1941), pp.116-22. Blackton contends that New Zealanders dropped out of the anti-transportation organization. New evidence, unavailable to Blackton, suggests that New Zealanders did contribute to the movement.

6 Enclosure in George Grey to Secretary of State Earl Grey, despatch 84, 7 July 1849, CO 209, piece 72. Hereafter referred to as Petition from Maori residing in the Auckland region.

7 Enclosure in George Grey to Earl Grey, despatch number 104, 3 August 1849, CO 209, piece 73. Hereafter referred to as Petition from Maori residing in Cook Strait region.

8 Petitions from Maori residing in Cook Strait and Auckland regions.

9 William Brown, SC, 21 April 1849.

10 *Maori Messenger*, 14 February 1849.

11 Keith Sinclair, 'Maori Nationalism and the European Economy, 1850-1860', *Historical Studies*, 18 (1952), p.131.

12 *ibid.*, p.132.

13 Petition from Maori residing in the Auckland region.

14 Anon., *The New South Wales Calendar and General Post Office Directory*, Sydney, 1833, pp.313-22.

15 Marion Diamond, 'Queequeg's Crewmates: Pacific Islanders in the European Shipping Industry,' *International Journal of Maritime History*, 1, 2 (1988), p.129.

16 G. Willimer, *The Draper in Australia: Being a Narrative of Three Years' Adventures and Experience at the Gold Fields, in the Bush, and in the Chief Cities of Victoria and New South Wales*, London, 1856.

17 Claudia Orange, in conversation during the 1994 New Zealand Historical Association Conference.

18 Petition from Maori residing in Cook Strait region.

19 *ibid.*

20 For information on these individuals see John Tattersall, *Maori on Maria Island: Punishment by Exile*, Napier, 1973; Jeffrey E. Hopkins, "'Fighting those who came against their country": Maori Political Transportees to Van Diemen's Land, 1846-8', *Papers and Proceedings Tasmanian Historical Research Association*, 44, 1 (1997), pp.49-67.

21 Petition from Maori residing in Cook Strait region.

22 See P. Buddee, *The Fate of the Artful Dodger: Parkhurst Boys Transported to Australia and New Zealand: 1842-1852*, Perth, 1984, p.112.

23 Edward Jerningham Wakefield, *Adventure in New Zealand from 1839 to 1844*, Christchurch, 1908.

24 Petition from Maori residing in Cook Strait region.

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- 25 Petition from Maori residing in the Auckland region.
- 26 *ibid.*
- 27 The late 1840s saw major conflicts in the Hutt Valley and the Bay of Islands between Maori and British troops.
- 28 Petition from Maori residing in the Auckland region.
- 29 For information regarding how Maori were seen by the British compared with other indigenous peoples see Elizabeth Palmer, 'British Colonialization and Indigenous Peoples, 1815–1845: Cape Colony, New South Wales, Van Diemen's Land, New Zealand', *The Australian National University Historical Journal*, 14 (1979-80), pp.50–72.
- 30 *Sydney Morning Herald* (SMH), 22 April 1845.
- 31 Richard Bennett to Earl Grey, 17 January 1850, CO 209, piece 88.
- 32 Petition of European inhabitants of Auckland, enclosed in George Grey to Earl Grey, despatch 84, 7 July 1849, CO 209, piece 72.
- 33 *ibid.*
- 34 *New Zealand Spectator and Cook Strait Guardian*, 8 August 1849.
- 35 Hobson to New South Wales Governor Bourke, enclosed in Bourke to Secretary of State, despatch 86, 9 September 1837, CO 209, piece 2.
- 36 Van Diemen's Land Lieutenant Governor Dennison to Earl Grey, despatch 12, 15 January 1852, CO 280, piece 288.
- 37 Enclosures in George Grey to Earl Grey, despatch 99, 16 July 1849, CO 209, piece 72.
- 38 Enclosure in George Grey to Earl Grey, despatch 124, 24 September 1849, CO 209, piece 73.
- 39 Earl Grey to George Grey, despatch 78, 27 November 1849, CO 209, piece 75.
- 40 Comment made and initialled by Secretary of State on George Grey to Earl Grey, despatch 58, 8 May 1849, CO 209, piece 71.
- 41 F.D. Bell to Gilbert Wright, 28 February 1851. It was printed in its entirety in SMH, 28 March 1850.
- 42 No evidence of Maori involvement exists in the period after the announcement of the decision not to send convicts to New Zealand.
- 43 *Lyttelton Times* (LT), 27 March 1852.
- 44 'Voyageur', 'Tasmania Freed or Australasia Felonized', SMH, 10 July 1852.
- 45 An example of where the American comparison was made is in 'Cut the Painter', *The People's Advocate and New South Wales Vindicator*, 5 June 1852. Many British also saw the situation the same way: see *The Times* of London article reprinted in SMH, 3 February 1852.
- 46 'Black, White, and Grey', SC, 24 May 1850.
- 47 See 'Earl Grey's Attempt to Felonize the Australian Colonies', SC, 17 March 1849.
- 48 'Voyageur', *ibid.*
- 49 John Robert Godley to Secretary of State Gladstone, 13 December 1849. Printed in its entirety in SMH, 9 May 1850.
- 50 'Address from the Anti-Transportation Delegates to the Colonists of Australasia', included in the anti-transportation papers enclosed in New South Wales Governor Charles Fitzroy to Earl Grey, despatch 54, 21 March 1851, CO 201, piece 440.
- 51 It is interesting to note that, despite the desire of New Zealanders to become involved in an integrated movement, no evidence was found to suggest that New Zealanders tried to develop a pan-New Zealand movement. The lack of this sentiment suggests that New Zealand did not have a national social structure and was basically composed of isolated localities. For more information on this debate see Miles Fairburn, 'Local Community or Atomized Society? The Social Structure of Nineteenth-Century New Zealand', *New Zealand Journal of History*, 16, 2 (1982), pp.146–83.
- 52 SC, 17 January 1851, 27 December 1851.
- 53 'Report of the Anti-Transportation Association' included in the anti-transportation papers enclosed in Charles Fitzroy to Earl Grey, despatch number 54, 21 March 1851, CO 201, piece 440.
- 54 SC, 14 March 1851.
- 55 SC, 1 July 1851.
- 56 'No Surrender', SC, 11 February 1852.
- 57 Western Australia never joined the anti-transportation movement.
- 58 'Report of the Anti-Transportation Association', *ibid.*
- 59 *ibid.*
- 60 Enclosure in Charles Fitzroy to Earl Grey, despatch 97, 17 May 1851, CO 201, piece 441.
- 61 LT, 13 September 1851.
- 62 LT, 18 October 1851; SMH, 26 November 1851. Articles after the meeting referred news on

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events overseas to interested supporters and members of the League. No account of any other meeting or action in Canterbury was found. See also LT, 17 April 1852; 'The Australian Colonies and Transportation', LT, 7 August 1852.

63 Blackton, p.122.

64 SMH, 10 March 1852.

65 Wright to the editor, LT, 13 September 1851.

66 E. Gordon, SMH, 26 September 1850.

67 SMH, 10 March 1852.

68 SC, 11 October 1850.

69 SC, 18 March 1851.

70 Robert Lowe, SMH, 5 March 1852.

71 SC, 14 March 1851; SMH, 27 March 1852; 'Voyageur', SMH, 10 July 1852.

72 'Sessional Papers . . . of the Australasian League Conference', enclosure in Charles Fitzroy to Earl Grey, despatch 117, 27 July 1852, CO 201, piece 453.

73 John M. Ward, *Earl Grey and the Australian Colonies, 1846-1857; A Study of Self-Government and Self-Interest*, Melbourne, 1958; P. Loveday, 'The Member and his Constituents in New South Wales in the Mid-Nineteenth Century', *Australian Journal of Politics and History*, 2 (1959), p.207.