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RESEARCH WORKSHOP ABSTRACT

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"To Barter Sovereignty for a Blanket": Judicial Perspectives on Sovereignty and the Treaty of Waitangi in the Early New Zealand Crown Colony Period

This paper examines judicial perspectives on sovereignty, jurisdiction and the Treaty of Waitangi in the early Crown colony period in New Zealand. Using new data, including case material and extra-judicial commentary, it explores differing understandings of the acquisition of sovereignty over New Zealand, as well as the character of both British and Maori sovereignty. The paper briefly places this material within a broader framework of emerging discourse on the relationship of Britain to her colonies, and the linked question of the character and location of sovereignty in the British Empire. Finally, the paper looks to consequent judicial understandings of the relationship between different modes of jurisdiction and in particular of territorial sovereignty to jurisdiction based on status in New Zealand in this period.