The Waikato Invasion 1863-64:

A Counter-insurgency Approach

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Abstract

Counter-insurgency as a strategy has only been explicitly espoused in American and British military tactical manuals in recent decades. It is anachronistic to military terminology before the last half century, but as this thesis illustrates counter-insurgency can be seen in embryonic form in the conflicts of the 1860s between Indigenous Māori and invading British forces in Aotearoa New Zealand. This thesis examines how early counter-insurgency strategy was evident in the tactical and strategic approaches used by Crown forces during the invasion of the Waikato in 1863-64. It asks: what evidence of counter-insurgency strategy can be seen in both British and Māori tactics at the time, and were they planned and intentional?

Using two recent counter-insurgency tactical manuals - one American and the other British - this study compares present-day counter-insurgency principles, philosophies, and approaches to examples of Māori and British strategies during the 1860's wars in Waikato, New Zealand. It illustrates how the Crown's "suppression of rebellion" served as the contemporary political wording for its counter-insurgency campaign, which effectively repositioned Indigenous peoples as insurgents and "rebels" in their own territories and legitimated British colonial authority. Thus, this study argues that counter-insurgency in British military history arose from the various colonial invasions and occupations it undertook over several centuries. In Aotearoa, as this thesis argues, counter-insurgency tactics were used to establish legitimacy through civil-military operations such as land seizure, public proclamations and reports that vilified Māori and asserted British governing authority. The history of counter-insurgency as it is understood in British and American military thinking today, then, as this study contends is deeply connected to, and informed by, powerful colonial discourses, strategies, and experiences similar to those explored in this study of the Waikato invasion.

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Contents

Introduction: Counter-insurgency and the Waikato

"Counterinsurgency is warfare; it is distinctly political, not primarily military; and it involves the people, the government, and the military"

- *AFM 1-10,* 2009.[1]

The counter-insurgency approach is a strategic and philosophical framework used by modern Western militaries to combat insurgent threats.[2] It combines the military and political dimensions of a conflict to effectively win a "very complex form of warfare."[3] Because counter-insurgency theory looks closely at political and strategic relationships between military, government, and people, it offers a useful framework to use when contemplating these relationships in previous theatres of war, like the one explored in this study. This thesis looks at how a counter-insurgency approach can be seen in the 1863 invasion of the Waikato and the ensuing land confiscations. It examines the invasion from a modern counter-insurgency perspective, and closely considers its intent not simply as a "conventional" assault to acquire territory, but to suppress rebellion.[4] This thesis asks if counter-insurgency strategies can be seen in the 1863 Waikato invasion. Two counter-insurgency manuals will be used in this study to compare modern theories and tactics to the invasion. These are *British Army Field Manual Volume 1 Part 10: Counterinsurgency* and the United States Army's *FM 3-24: Insurgencies And Countering Insurgencies*.[5] They will be used to demonstrate the parallels to strategies employed by the invading British forces in 1863.

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[1] Warfare Development, *British Army Field Manual Volume 1 Part 10: Counterinsurgency* (London: Ministry of Defence, 2009), p. 7.

[2] Paul Rich, *The Routledge Handbook of Insurgency and Counterinsurgency* (London: Routledge, 2012); Austin Long, *On "Other War": Lessons From Five Decades of RAND Counterinsurgency Research* (Santa Monica CA: Rand Corporation, 2006).

[3] Warfare Development, p. 7.

[4] Conventional warfare is a conflict between "equal" opponents to "take and hold ground." Christopher Lawrence, *War by Numbers: Understanding Conventional Combat* (Dulles VA: Potomac Books, 2017), pp. 326-328.

[5] Headquarters Department of The Army, *FM 3-24: Insurgencies And Countering Insurgencies* (Washington DC: Headquarters Department of The Army, 2014).

On the 12th of July 1863, British forces under the command of General Duncan Cameron left the Pokeno Redoubt and crossed the Mangatāwhiri Stream in an act that has come to mark the first step in the invasion of the Waikato.[6] This action triggered one of the bloodiest and most controversial conflicts in New Zealand history, which in the ensuing years, has been interpreted, revised, and reconsidered by historians interested in the tactics, motives, and outcomes of the invasion and the New Zealand Wars more generally.[7] Historians argue that one of the key goals of the invasion was to seize land in order to expand British authority and open land up for eager "settlers" and land speculators.[8] They also assert that the other connected goal of the invasion was to suppress Māori opposition to British colonial rule.[9] This thesis agrees that land seizure was a core aspect of the Waikato invasion, but asserts that confiscations were not the key goal of the Waikato invasion but rather the method that allowed the British Crown to suppress Māori claims of sovereignty.

Military history is often an insular field of historical study and wider historiography; Neil Smelser and Paul Baltes argue that it tends to leave the minutiae of warfare to the military historian.[10] This leads to a disconnect where military historiography does not always fully account for political motivations. This thesis contributes to existing work in military history, New Zealand history, and an array of other related subfields. Since counter-insurgency requires a civil-military relationship to be successful, it combines political, social, and military aspects together in ways that can provide insightful readings for historians.

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[6] James Belich, *New Zealand Wars and The Victorian Interpretation of Racial Conflict* (Auckland: Auckland University Press, 2013), p. 133.
[7] James Cowan, *The New Zealand Wars: Volume I* (Wellington: Government Printer, 1983). Vincent O'Malley, *The Great War For New Zealand Waikato 1800-2000* (Auckland: Bridget Williams Books, 2016). Belich, p. 15.
[8] O'Malley, p. 194.
[9] Belich, p. 133.
[10] Neil Smelser and Paul Baltes, eds, "Military History", in *International Encyclopaedia of the Social and Behavioral Sciences* (Amsterdam: Elsevier Science, 2001), pp. 9863-9868.

The Scope and Limits of a Counter-insurgency

This thesis is focused on the Waikato invasion of 1863, which is only a small episode in a much longer series of military engagements between the British and Māori during what is commonly, although not unproblematically, called the "New Zealand Wars."[11] It draws on two recent military instruction manuals to ascertain whether counter-insurgency approaches espoused in those texts can be seen in this specific historical context. There is no intention in this study to dispute the works of previous historians or their findings, or to counter the central narrative of the Waikato invasion: that Crown forces illegally invaded the Waikato.[12]

This study does not advocate the idea that Māori were either insurgents or rebels, but it does maintain that this is, nevertheless, most certainly how the British identified local Indigenous resistors at the time. In confining its scope to the Waikato, this study posits an alternative reading of the invasion by using the colonisers counter-insurgency framework to closely consider the tactical and strategic aspects employed by both sides. This focus on the presence of counter-insurgency does not engage with discussions about Māori sovereignty, agency, and the devastating impact that the invasion had on Waikato iwi, an impact that is felt to this day.[13] But it does affirm that British colonial histories were the testing grounds for modern counter-insurgency, and thus colonial oppression and counter-insurgency tactics are inextricably tied together in a shared past.

The scope and focus of this study, then, brings together historical scholarship in military and colonial histories, including various works on the New Zealand Wars, in a comparative relationship with the two manuals that frame the interpretive approach taken in this thesis. The use of British and American counter-insurgency

[11] Belich suggested that the wars began with the contested incident at Wairau in 1843 (Belich, pp, 21-22), and that the last shots may have been fired at Maunga Pohatu during the arrest of Rua Kenena in 1916 (Belich, p. 309). The Waikato invasion 1863-64 is only one of what historians see as divisions or eras in the wars, from the Northern Wars (1845) to Taranaki (1860s) and the East Coast conflicts (1870s). Belich, pp. 7-8.
[12] Belich, p. 121.
[13] O'Malley, p. 371.

handbooks, produced generations after the Waikato invasion, does not imply that the most appropriate way to interpret 1860 colonial history is through a coloniser-centric framework and set of ideas.[14] These manuals are somewhat limited by their distance from the historical context of this study, and therefore do not account for the various other campaigns and British and American military conflicts that occurred between 1860 and 2014.[15] British and American manuals are used in this thesis because of their intertwined links, but more importantly because of their lineage to various histories of Native suppression like the Waikato invasion.[16] Due to their close interoperability with the British, American counter-insurgency manuals share strong similarities in doctrine with their British equivalent.[17]

The key limitation of this thesis, then, is perhaps its heavy reliance on a non-Indigenous perspective to interpret whether or not counter-insurgency tactics can be seen in the invasion.[18] This thesis explores whether British forces used what is known today as counter-insurgency strategy and if those same tactics can be seen in Kīngitanga approaches as well. While this thesis acknowledges that "counter-insurgency" was not a phrase or term explicitly used by either the British or Māori at the time, it argues that it is evident in the actions and strategies used by both to either suppress rebellion or resist invasion. Māori were neither rebels nor insurgents,

[14] Māori scholars have highlighted the need to decolonise "site by site" non-Māori perspectives that have misrepresented us. Linda Tuhiwai Smith, *Decolonizing Methodologies: Research and Indigenous Peoples* (Dunedin, London and New York: University of Otago Press/Zed Books, 1999). Nēpia Mahuika, "New Zealand History is Māori History: Tikanga as the Ethical Foundations of Historical Scholarship in Aotearoa New Zealand", *New Zealand Journal of History*, 49:1, (2015), pp. 9-10.

[15] American and British counter-insurgency doctrine developed significantly through conflicts such as Vietnam (for the American forces) or Oman and Palestine (for the British forces) following the Second World War. David Fitzgerald, *Learning to Forget: US Army Counterinsurgency Doctrine and Practice from Vietnam to Iraq* (Palo Alto CA: Stanford University Press, 2013), p. 19. David French, "British Counter-insurgency Doctrine and Practice 1945-1967", *Small Wars & Insurgencies*, 23:4, (2012), p. 745.

[16] Units of the British Army took part in the Waikato invasion of 1863. Cowan, p. 251.

[17] *AFM 1-10* mentions *FM 3-24* in its introduction, demonstrating a clear commonality of doctrine; Warfare Development, p. 7.

[18] Margaret Macmillan, for instance, writes that "we abuse history, creating one-sided or false histories to justify treating others badly, seizing their land, for example, or killing them …. We abuse it when we create lies about the past or write histories that show only one perspective." Margaret Macmillan, *The Uses and Abuses of History* (London: Profile, 2009), pp. xii – xiii. Māori historians have also made refence to these issues. Nēpia Mahuika, "Closing the Gaps: From Post-colonialism to Kaupapa Māori and Beyond", *New Zealand Journal of History*, 45:1, (2011), pp. 15-32.

nevertheless as this thesis illustrates, they still enacted tactics that are recognised today in British and American counter-insurgency manuals. What can be learned about the Wars from an exploration of these tactics in their embryonic form in 1860 New Zealand? Māori, of course, have their own language, deep history, and terminology regarding strategic tactical warfare. This study uses a British counter-insurgency frame; not to displace Māori perspectives of the same history, but to accentuate the deeply connected history between counter-insurgency strategy today and its embryonic and developmental history in the violent invasion of Indigenous territories like Aotearoa.[19] In short, a focus on present-day counter-insurgency as the product of colonial suppression reveals its deeply problematic and illegal roots.[20]

The scope of this thesis is limited to the Waikato invasion. Its reliance on recent British and American counter-insurgency manuals is also deliberate in seeking to test whether those philosophies and strategies can be seen in 1863 Aotearoa. Investigation into the Kīngitanga strategic approach to the Crown's invasion of their territory in the Waikato would far exceed the scope of this thesis, since it raises significant questions about how Māori viewed warfare; there is not enough space to address this sufficiently here. Accordingly, the focus will rest on the Crown's actions and perspectives far more heavily than on those of the Kīngitanga.

The Methodology Employed in This Study

This thesis considers the extent to which twenty-first-century counter-insurgency philosophies are evident and intentional in both British and Māori actions and strategies during the 1863 Waikato invasion. It draws on the two recent field manuals

[19] Māori have written on strategy, tikanga, weaponry, and warfare. Enoka Murphy, for instance, has written on the way tikanga in the first half of the nineteenth century changed the way Māori engaged in warfare. Enoka Murphy, "Ka mate ko te mate, ka ora taku toa: ko ngā matawhāu o te tau tau tekau mā iwa" (PhD thesis, University of Waikato, 2017). Rangi Mātāmua, *"Te Mata o te Rākau a Tūhoe: The taiaha culture of Tūhoe"* (Wellington: Victoria University, 1998).

[20] Waikato Raupatu Claims Settlement, 1995, p. 3.

that are considered fundamental to modern Western military doctrine on counter-insurgency. These are the United States Army's *Field Manual 3-24 Insurgencies and Countering Insurgencies* (*FM 3-24*) produced in 2014, and the *British Army Field Manual Volume 1 Part 10: Countering Insurgency* (*AFM 1-10*) published a few years earlier in 2009.[21] American and British military counter-insurgency doctrine shares many similarities due to their long history of joint operations following the Second World War.[22] Together the manuals provide a comprehensive outline of recent counter-insurgency theory learned from, and tested in, previous campaigns. Both were written during active counter-insurgency campaigns in Afghanistan and Iraq by US and British forces and provide not only a practical "lessons learned" approach, but were based on previous military experience that stretch back much further.[23] Both the British and American militaries have direct lineage to the brutal suppression of Indigenous peoples. This thesis contends that it is in those theatres of war, like the Waikato, that they tested and honed what is known as counter-insurgency theory and strategy today.[24]

Counter-insurgency in this thesis is used as a reference point – an interpretive methodologically device - to identify, interpret, and assess the actions, resources, and strategies employed by both Kīngitanga Māori and the British in 1863.[25] But it is important to problematise the language of counter-insurgency here, in order to avoid misrepresenting Māori or the British. Neither were necessarily insurgents or counter-insurgents, but the British were explicit in defining Māori as "rebels" and themselves as the legitimate governing authority.[26] This study compares, counter-insurgency

[21] Headquarters Department of The Army, *FM 3-24: Insurgencies And Countering Insurgencies* (Washington DC: Headquarters Department of The Army, 2014). Warfare Development, *British Army Field Manual Volume 1 Part 10: Counterinsurgency* (London: Ministry of Defence, 2009).
[22] David Reynolds, "A 'Special Relationship'? America, Britain and the International Order since the Second World War", *International Affairs*, 72:4, (1985–1986), pp. 1–20.
[23] The US and UK involvement in Afghanistan spanned 2001-2021.
[24] Cowan, p. 255.
[25] Nancy Partner and Sarah Foot, "Foundations: Theoretical Frameworks for Knowledge of the Past", in *The Sage Handbook of Historical Theory*, edited by Partner and Sarah Foot (London: Sage, 2013), pp. 1-8.
[26] John Gorst, *The Maori King* (London: Oxford University Press, 1959), p. 223.

doctrine with examples of what it looked and sounded like during the Waikato invasion. The intent is to demonstrate that there was a clear understanding of counter-insurgency principles, if not counter-insurgency as a term, during the conflict and that this understanding guided the Crown's actions both politically and militarily, even if Māori themselves did not self-identify as insurgents or rebels.[27] Methodologically, this thesis draws on the existing array of primary and secondary evidence already collected and published about the invasion and New Zealand Wars more generally. It draws on a range of archives, from contemporary legislation and debates, nineteenth-century newspaper reports, and other correspondence, to well-established studies in the field, including James Cowan's initial history, James Belich's revisionist approach, and Vincent O'Malley's recent interpretation.

Defining and Problematising Counter-insurgency

The two prominent terms that drive this thesis arise in the binary positionalities of "insurgent" and "counter-insurgent." In the 1863 invasion, the contemporary terminology applied by the British interpreted Māori insurgents as "rebels" and the counter-insurgent Crown as the legitimate colonial government.[28] The North Atlantic Treaty Organisation's (NATO) definition describes counter-insurgency as **"**comprehensive civilian and military efforts made to defeat an insurgency and to address any core grievances."[29] Thus, counter-insurgent is defined by their

[27] The "Rebel" was a popular refrain in British methods of colonial rule used to identify local Natives as insurgents. Bender notes how this was developed neither in one location nor by one individual, and the flows of information from one colony to another played a crucial role in shaping imperial practice. An excellent example of this can be seen in Jill C. Bender, *The 1857 Indian Uprising and the British Empire* (UK: Cambridge University Press, 2016).

[28] Cynthia Nielsen, "Frantz Fanon and the Negritude Movement: How Strategic Essentialism Subverts Manichean Binaries", *Callaloo*, 36:2, (2013), p. 344.

[29] Andre Rakoto and Gary Rauchfuss, 'Counterinsurgency A General Reference Curriculum', *NATO* (2017) <https://www.nato.int/nato_static_fl2014/assets/pdf/pdf_2017_09/20170904_1709-counterinsurgency-rc.pdf> [accessed 27 August 2021]; This definition was chosen since *AFM 1-10 and FM 3-24* were both published by NATO member states, the United Kingdom, and the United States of America respectively North Atlantic Treaty Organisation, 'Member Countries', *NATO* (2022) <https://www.nato.int/cps/en/natohq/topics_52044.htm> [accessed 22 July 2022].

relationship to the insurgent. In its reference curriculum, NATO defines insurgency as:

> [T]he actions of an organised, often ideologically motivated group or movement that seeks to effect or prevent political change of a governing authority within a region. Additionally, insurgencies focus on persuading and/or coercing the population through the use of violence and subversion. Given this definition, an insurgency must, as a minimum, include three elements: (1) actions or activities by an organised group; (2) a goal of some form of political change over a ruling regime; and (3) the use of violence or subversive activity. All three components are necessary for a conflict to be an insurgency.[30]

This definition assumes that a counter-insurgent force is the rightful "governing authority." A successful counter-insurgency strategy relies on the power imbalance that is created by defining who is the insurgent. In effect, the counter-insurgent defines the insurgent as the "other", a binary distinction noted in the work of Middle Eastern scholar Edward Said.[31] Said points out how positioning the "Other" depends on "flexible positional superiority, which puts the Westerner in a whole series of possible relationships with the Orient without ever losing him the relative upper hand."[32] While Said's focus is on the stereotyping of the Oriental by Western media, his theory also applies to the "Othering" of the insurgent as illegitimate and the counter-insurgent as "normative" and central.[33] Such an assumption can be seen in the Crown's approach to the Waikato invasion when it labelled the Kīngitanga as "rebels" and centred itself as the protector of local subjects and citizens.[34]

This thesis, while assessing whether counter-insurgency strategies and insurgent tactics were used by either side in 1863-4, rejects any assertion that the Kīngitanga were indeed "insurgents." Previous work on the nineteenth-century

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[30] Andre Rakoto and Gary Rauchfuss, p. 8.
[31] Edward Said, *Orientalism* (New York: Random House, 1979).
[32] Said, p. 7.
[33] Warfare Development, p. 32.
[34] George Grey, "Notification To The Chiefs Of The Waikato", *New Zealand Gazette*, 15 July 1863, pp. 277-278.

conflicts in New Zealand have not taken care to address the problematic nature of these terms. A 1990 thesis by Gary Clayton, "Defence Not Defiance: The Shaping Of New Zealand's Volunteer Force", used counter-insurgency broadly to describe actions taken by the New Zealand Volunteer Force without engaging with the assumptions that underpinned them.[35] Furthermore, the 2005 thesis of Des Tatana Kahotea; "Rebel Discourses: Colonial Violence, Pai Marire Resistance and Land Allocation at Tauranga", used the terms without defining or problematising them either.[36] This thesis recognises the problematic nature of these binary terms, but applies them carefully in seeking an understanding of the British approach to the Waikato invasion.

Problematising the Counter-insurgent Claims of Legitimacy

Another problematic term used in counter-insurgency writing is the concept of "legitimacy." The *AFM 1-10* manual defines legitimacy as "a population's acceptance of its government's right to govern or of a group or agency to enforce decisions."[37] In 1863, more than twenty years after the signing of Te Tiriti o Waitangi (1840), the question of legitimate governing authority was still unresolved.[38] This is the elephant in the room; that while this thesis uses counter-insurgency as a lens to consider both British and Māori military strategy in 1863, it is highly debatable whether the British were indeed a legal legitimate governing power at that time.[39] This thesis avoids a drawn-out, and potentially distracting, discussion on the legitimacy of British

[35] Garry Clayton, "Defence Not Defiance: The Shaping of New Zealand's Volunteer Force" (PhD thesis, University of Waikato, 1990).
[36] Des Tatana Kahotea, "Rebel Discourses: Colonial Violence, Pai Marire Resistance and Land Allocation At Tauranga" (PhD thesis, University of Waikato,2005).
[37] The manual also asserts that legitimacy "comes from the idea that authority is genuine and effective and is used fairly and legally." Warfare Development, p. 12.
[38] Belich, p. 21.
[39] This legitimacy has been discussed by generations of scholars. More recently, Valentin Clavé-Mercier has suggested that "sovereignty is about political ordering, about situating, constituting and legitimising ultimate authority" (p. 2), and that "by declaring that Maori who do not submit to the Crown authority will renounce to their treaty-guaranteed rights, Grey [made] the Crown the sole interpreter and referee of a covenant signed between several parties." Valentin Clavé-Mercier, "Politics of Sovereignty: Settler Resonance and Māori Resistance in Aotearoa/New Zealand", *Ethnopolitics*, (2022), pp. 1-19. Moana Jackson, "Research and colonisation of Māori knowledge", *He Pukenga Kōrero*, 4:1, (1998), p. 73.

governing authority in the 1860s. It does, however, similarly to the careful use of counter-insurgency noted above, treat the notion of legitimacy applied in this thesis with caution. According to the authors of *Counter-insurgency: A Generic Reference Curriculum*, these types of military conflicts "boil down to a battle for legitimacy, with both insurgents and counter-insurgents vying for the support of the population."[40] The British and Māori both had support from different sections of the local population, but as Belich has illustrated, the invading colonisers worked hard to dominate public opinion and control outgoing news of the conflicts. Consistently seeking to assert and extend their power, this thesis shows that the British were consciously employing a strategy of legitimisation that is a key aspect of present-day counter-insurgency theory.

Defining the British and Kīngitanga Forces

This thesis recognises that the combatants in the Waikato invasion were not homogenous forces, but were made up of often disparate groups that did not always fit well into a single cohesive military body. During the Waikato invasion, both Crown and Kīngitanga forces were organised coalitions.[41] By 1863 the Crown representative was Governor Grey (back for a second term) and elected members of the colonisers' Parliament, most of whom were Pākehā males who owned land.[42] The British forces that arrived in Aotearoa, many during the earlier conflicts in Taranaki, came from other colonies and campaigns throughout the Empire.[43] British Army units stationed in New Zealand reported to the Governor, who in turn reported to the Colonial Office.[44] Meanwhile, the Colonial Defence Force was under the nominal control of the

[40] Andre Rakoto and Gary Rauchfuss, p. 3.
[41] Simons, pp. 191-192.
[42] O'Malley, Vincent, Bruce Stirling and Wally Penetito, *The Treaty of Waitangi Companion: Maori and Pakeha From Tasman to Today* (Auckland: Auckland University Press, 2011), p. 74.; Susannah Grant, 'God's Governor: George Grey and Racial Amalgamation in New Zealand 1845-1853' (PhD thesis, University of Otago, 2005), p. 312.
[43] Ranginui Walker, *Ka Whawhai Tonu Matou: Struggle Without End* (Auckland: Penguin Books, 2004), p. 117.
[44] Beich, p. 125.

New Zealand Parliament, and at the time of the invasion was commanded by Duncan Cameron, who was criticised for being "slow and uninspired" and described by others as a "the lame seagull."[45] In addition to these forces were supposed loyalist or "Kūpapa" Māori, who fought alongside, or seemingly in advance of, the same aims as the British.[46] Kūpapa, as recent historians have pointed out, is a poor term to use in reference to Māori (and is discussed further below). Māori who appeared loyal to the Crown had their own motivations and were not as loyal or unified with the British as the term Kūpapa implies.[47] This sophisticated positionality is noted in this study.

Much like the Crown and British forces, the Kīngitanga was also not a single homogenous force. Māori political structure was not based on a single national or regional identity, but woven together via the genealogical and historical relationships between iwi and hapū.[48] Therefore, the Kīngitanga is best considered a coalition of iwi rather than a single force. Furthermore, some of the combatants defending the Waikato were not formally part of the Kīngitanga, but were fighting in support of it.[49] This diversity is difficult to accurately demonstrate in this thesis while focussing on counter-insurgency theory. To ensure coherence, all forces defending the Waikato from invasion by the Crown are considered both "Māori" and "Kīngitanga forces" in this thesis.

Problematising Kūpapa

Scholars of the New Zealand Wars have pointed out that the Kīngitanga and other local Māori were not "rebels" or insurgents in 1863, but were defending their territory from an illegally invading force.[50] Likewise, others have challenged the overly

[45] Belich, p. 126.
[46] Ron Crosby, *Kūpapa: The Bitter Legacy of Māori Alliances with The Crown* (Auckland: Penguin Random House, 2015), p. 196.
[47] Monty Soutar, "Kupapa: A Shift in Meaning", *He Pukenga Korero,* Ngahuru, 6:2, (2001), p. 36.
[48] Walker, pp. 64-65.
[49] Walker, pp. 125-126.
[50] Graham, p. 2.

simplistic interpretation of the term "Kūpapa" or "Crown loyalists" in New Zealand historiography.[51] Monty Soutar, for instance, writes that Kūpapa, for some, ranged "from the undecided to the deliberately neutral."[52] Kūpapa, as Soutar contends, has been a problematic and fraught term popularised by some historians who have applied it to individuals like Rapata Wahawaha and sometimes entire iwi to suggest they supported British colonialism. He argues that Wahawaha was not a Crown loyalist and to present him as such ignores his own agenda, agency and commitment to Ngāti Porou aspirations.[53] Likewise, Denise Ewe makes a similar argument in her thesis on the Ngāti Tipa leader Waata Kukutai, who she argues was not a Kūpapa Crown loyalist but "steadfastly independent of both the Crown and Kiingitanga forces."[54] Kūpapa "loyalist" or Kīngitanga "rebels" are disturbingly common oversimplifications in the writing on the New Zealand Wars. Many worked for the British, but many others also maintained a "reciprocal relationship that benefitted their own iwi aspirations and autonomy, not the Crown's."[55]

During the Waikato campaign, Rev. Leonard Williams noted in a letter to Governor Grey, dated 2nd February 1864, that Māori forces fighting alongside the imperials "call themselves always 'Kūpapa' as being partisans of neither side."[56] Williams wrote that so-called Kūpapa he encountered were motivated "partly through their run leases, partly through their old feuds with the Waikatos, and partly by fear of losing their lands."[57] Far from simply loyalists, Kūpapa Māori had complex relationships with the British that reflected their own personal politics and desires. Their involvement, as scholars have noted, was not motivated by the interests of

[51] Crosby, pp. 8-11.
[52] Monty Soutar, "Ngāti Porou leadership : Rāpata Wahawaha and the politics of conflict : 'Kei te ora nei hoki tātou, me tō tātou whenua'" (PhD thesis, Massey University, 2000), p. 20.
[53] Soutar, p. 2.
[54] Denise Ewe, "Waata Kukutai: Rangatira O Ngaati Tiipa, 1822 – 1867" (MA thesis, Waikato University, 2019), p. 97.
[55] Crosby, p. 146.
[56] Crosby, p. 205.
[57] Williams was referring to Ngāti Kahungunu in his example, not Waikato Iwi. Crosby, p. 205.

others or Crown goals, but by their own agendas and aims.[58] While depicted as part of the Crown's invading force, there was no allegiance or even formal alliance between Kūpapa Māori and the British forces.[59] In assessing the extent to which counter-insurgency tactics were also used by Māori working with the British, this thesis is careful not to define these historical subjects as simply Kūpapa loyalists.

Placement of Thesis in New Zealand Wars Historiography

This study sits within the historiography of the Waikato invasion and other related fields, and through a counter-insurgency analysis contributes to research about the political, social, cultural, tactical, and military, histories of the period. History of the Waikato invasion relies heavily on the seminal contributions of James Cowan (1922), James Belich (2013) and more recently Vincent O'Malley (2016).[60] It acknowledges the significant amount of research beyond the work of these authors that also offers valuable contributions to a deeper understanding of the Waikato invasions. Within that diverse scholarship, this thesis contributes to discussions around the strategic aspects of the invasion and postulates the theory that present-day British and American counter-insurgency tactics are based on the approaches tested in colonial invasions just like the Waikato.

One of the ongoing debates in New Zealand Wars' historiography focuses on whether to call them "civil", "land", "Native", "Māori" or "New Zealand", conflicts.[61] This thesis offers no significant contribution to that debate, but refers to the events in the Waikato as "invasion", and not a settlement chapter in the "New Zealand" nation-building narrative.[62] James Cowan's *The New Zealand Wars* published in 1922 is

[58] Belich, p. 207.
[59] Belich, p. 212.
[60] Cowan, p. 1. Belich, p. 14. O'Malley, p. 9.
[61] Danny Keenan, "The 'New Zealand Wars' or 'Land Wars'?: The Case of the War in Taranaki 1860-61", *Journal of New Zealand Studies*, 1, (2002), pp. 99-107.
[62] Keenan, pp. 99-100.

considered the first comprehensive account of the conflicts.[63] It is detailed and drew significantly on oral testimonies provided by veterans Cowan interviewed afterwards. This, Michael King writes in his introduction to the 1983 edition, was an innovation at the time.[64] Cowan's work has been critiqued as "the product of an intensely Anglocentric, Empire-worshipping period in New Zealand's development."[65] Studies that followed sought to revise and address his failings.

No other major study of the New Zealand Wars surfaced in the historiography until James Belich's popular *New Zealand Wars And The Victorian Interpretation of Racial Conflict* in 2013.[66] In it, Belich noted that there had been "no substantial examination of the wars for sixty years."[67] His revisionist history highlighted Anglocentric "racial interpretations" that Belich observes were embellished as British victory narratives which also diminished Māori tactical prowess.[68] His assertions that Māori invented trench warfare have been criticised by some, including Clifford Simons, and robustly defended by others like Vincent O'Malley.[69] This thesis draws heavily on Simons' work, and is indebted to the detail he provides around the various engagements, strategies, political motivations, and contemporary reporting, of the invasion.

The most impactful and popular study since Cowan and Belich's seminal work has been Vincent O'Malley's *The Great War For New Zealand: Waikato 1800 - 2000* published in 2016.[70] The popularity of O'Malley's contribution has been accentuated by the announcement of a new National History Curriculum reset (2023) following

[63] Simons, p. 15.
[64] Cowan, p. 6.
[65] Belich p. 17. While Cowan included Māori testimonies, his history centred the Crown's perspective and limited the work. He wanted to "rehabilitate" the "frontier period", a motive that detracted from his research. Gregory Wood, "Revisiting James Cowan: a reassessment of The New Zealand Wars (1922-23)" (MA thesis, Massey University, 2010), pp. 11-12.
[66] Belich, p. 11.
[67] Belich, p. 16.
[68] David Van Keuran called the work a "wonderful example of revisionist history in its best aspect." David Keuren, "Review of James Belich 'The Victorian Interpretation of Racial Conflict'", *Journal of the History of the Behavioral Sciences*, 31:2, (1995), pp. 169-171.
[69] Simons, p. 27.; Vincent O'Malley, pp. 102-103.
[70] Vincent O'Malley, *The Great War For New Zealand Waikato 1800-2000* (Auckland: Bridget Williams Books, 2016).

years of petitions and calls for the compulsory teaching of the Wars and more Māori content in all New Zealand schools.[71] O'Malley asserted that his history offered more "meaningful analysis" than Cowan, but with greater "detail and narrative" than Belich."[72] His work looked at the "socio-economic consequences of the war" with the intention of charting "a path towards a new narrative of the wars fought on our shores." [73] O'Malley's history has been well received.[74] Basil Keane, for instance, writes that it is "both timely and illuminating and adds significantly to our knowledge of the Waikato Wars."[75] Cowan, Belich, and O'Malley, are used generously in this thesis, with their work providing much of the evidence of the various tactical objectives of the day. This study takes no specific aim at unpacking or critiquing their interpretations of the events. Counter-insurgency is not a central or deeply explored topic in their writing, and so this study contributes a theory on this aspect of the invasions to this existing body of writing.

While Cowan, Belich, and O'Malley's, work is the most influential and cited in the field, there are other excellent studies, such as Clifford Simons' *Soldiers, Scouts and Spies: A Military History of The New Zealand Wars 1845-1864* (2019).[76] Simon's key goal was to analyse how "military intelligence was used in the wars, and its wider influence.[77] Simons, a New Zealand Army officer, claimed that his military experience gave him special insight into the 19th century conflicts.[78] His focus on the military aspects of the conflict overlooked Māori perspectives and, in his review of Simons'

[71] PM Jacinda Ardern, Hon Chris Hipkins, 'NZ History to be taught in all Schools', *Ministry of Education*, 12 September 2019, Wellington. https://www.beehive.govt.nz/release/nz-history-be-taught-all-schools (accessed 6th August 2021). Richard F. Manning, "The New Zealand (school curriculum) 'History Wars': The New Zealand land wars petition and the status of Māori histories in New Zealand schools (1877-2016)", *The Australian Journal of Indigenous Education*, 47:2, (2017), pp. 120- 130.
[72] O'Malley, p. 13.
[73] O'Malley, pp. 13-14.
[74] On its 2016 release, its back cover bore James Belich's blessing "Vincent O'Malley gives the traumatic conflict its due." O'Malley, back cover.
[75] Basil Keane, "Book Review: The Great War for New Zealand, Waikato 1800-2000", *Journal of New Zealand Studies*, 24, (2017), pp. 93-95.
[76] Simons, p. 18.
[77] Simons, p. 22.
[78] Simons, p. 18.

study, Vincent O'Malley suggested that this was "symptomatic of an overall approach that tends to privilege Pākehā perspectives" and, as a result, Simons' book was unlikely to unseat Belich as "the preeminent work" in the field anytime soon.[79] Simons' work, despite O'Malley's criticism, is well aligned to the focus of this study, particularly its emphasis on military tactics and is used here to provide further insights to those aspects of this thesis.

Beyond the typically Pakehā-centric proliferation of work on the New Zealand Wars, Māori have also written about the invasions themselves. Ranginui Walker, for instance, in *Ka Whawhai Tonu Matou: Struggle Without End* (1990) writes on the Waikato conflict, albeit briefly.[80] Walker's history considers more the social and economic impact of the invasion, particularly raupatu and the subsequent conflict and trauma that had on Māori.[81] He accentuates Māori claims to sovereignty as an ongoing struggle, echoing the call to arms issued at Ōrakau for all Māori to take up the ongoing fight across the ages. He writes that Governor Grey's "war on the Māori King" aimed "to assert the sovereignty of the Crown" and was part of a long history of trauma and resistance for Māori across the country.[82]

In addition to Ranginui Walker, the most active Māori historian to write on the New Zealand Wars has been Danny Keenan, whose *Wars Without End* was republished again in 2021 - a revised version of his 2009 original text.[83] Keenan interprets the Wars and the Waikato invasion as an endeavour by the Crown to seize Māori land and, like other Indigenous scholars, spends time exploring the significance

[79] However, it was noted that Simons had brought some value in his observations on military intelligence in the conflicts. Vincent O'Malley, Soldiers, "Scouts and Spies: A Military History of the New Zealand Wars 1845-1864", *Journal of New Zealand Studies*, 29, (2019), pp. 102-104.
[80] Ten pages were devoted to the Waikato invasion. Walker pp. 117-126.
[81] Walker, p. 129.
[82] Walker, p. 10.
[83] Danny Keenan, *Wars Without End: Ngā Pakanga Whenua o Mua: a Māori perspective* (Auckland: Penguin, 2021). Danny Keenan, *Wars Without End: The Land Wars in Nineteenth-century New Zealand* (Auckland: Penguin, 2009).

of the invasions to Māori over a much longer period of time.[84] This thesis, in its exploration of the presence of counter-insurgency approaches, refers to both Keenan and Walker's interpretations, especially their emphasis on the deeply colonial motives that drove the British invasion. It considers their work, and particularly their Māori interpretive perspectives on the intricacies of the strategies and tactics employed by both sides.

Counter-insurgency Historiography

This thesis is also situated in counter-insurgency historiography, and draws extensively on that literature, particularly the two field manuals. The first is *Field Manual 3-24 Insurgencies and Countering Insurgencies* (*FM 3-24*), which was produced for the United States' Department of the Army in 2014, and provides a comprehensive view of current counter-insurgency theory and strategy.[85] The other key text is the *British Army Field Manual Volume 1 Part 10 Countering Insurgencies* which focuses more on tactical approaches.[86] While *FM 3-24* looks at the theoretical underpinnings of counter-insurgency, *AFM 1-10* provides a more practical guidance for the soldier on the ground. Therefore, the manuals complement each other and reflect, as this thesis argues, a tested approach to counter-insurgency through, not only their extensive use in the Afghanistan War of 2001-2021, but from a deeper history of colonial subjugation.[87]

This study also draws on Ian Rigden's "The British Approach To Counter-insurgency: Myths, Realities, And Strategic Challenges", which offers an account of the history of British counter-insurgency.[88] It is especially useful in providing a wide

[84] Examples of other Indigenous Scholars are Ranginui Walker and Monty Soutar. Walker, pp. 133-134; Soutar, p. 177.
[85] Headquarters Department of The Army, p. 118.
[86] Warfare Development, p. 115.
[87] Both *FM 3-24* and *AFM 1-10* reference the conflicts in Afghanistan and were official doctrine during the conflicts. Headquarters Department of The Army, p. 46. Warfare Development, p. 9.
[88] Rigden, pp. 207-230.

overview of the influences on its development in colonial conflicts.[89] Likewise, Max Boot's *Invisible Armies* is useful for similar reasons, and looks at how counter-insurgency has developed over time.[90] The counter-insurgency literature is limited by its Western-centric approach and lack of alternative cultural or historical perspectives. This thesis, then, adds to that literature, and includes Indigenous scholarship (such as Walker and Keenan) to highlight how counter-insurgency is not connected to their liberation or wellbeing, but has been a key driver of their subjugation and trauma. A fuller overview of counter-insurgency theory is examined later in this thesis.

Key Primary and Secondary Sources for this Study

This thesis also draws on the writing of contemporary figures like James Alexander and Gustavus Von Tempsky to show how counter-insurgency tactics were evident in the invasion of the Waikato.[91] James Alexander's *Bush Fighting* was written in 1873, and recounts his experiences as a colonial officer in South Africa and India before he took part in the Waikato invasion.[92] His self-congratulatory account of the war gives a front line perspective on the invasion, but his interest in the theoretical aspects of "bush fighting" is of specific value to this study.[93] Similarly, this thesis also draws on the writing of the flamboyant Gustavus Von Tempsky.[94] Von Tempsky is known for his command of the Forest Rangers.[95] His analysis of actions by Kīngitanga forces highlights an understanding of "irregular" warfare and how it was used to significant effect.[96]

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[89] Rigden, p. 215.
[90] Max Boot, *Invisible Armies: An Epic History Of Guerrilla Warfare From Ancient Times To The Present* (New York: Liveright Publishing, 2013).
[91] O'Malley, pp. 666-677.
[92] James Alexander, *Bush Fighting* (London: Low and Searle 1873), p. 5.
[93] Alexander, p. 4. Alexander, pp. 1-12.
[94] Simons, p. 228.
[95] Gustavus Von Tempsky, *Memoranda of the New Zealand Campaign In 1863 and 1864* (Waikato: Von Tempsky, 1864), p. 93.
[96] Gustavus Von Tempsky, *Memoranda of the New Zealand Campaign In 1863 and 1864, 1865* (Waikato: Von Tempsky, 1864).

Alexander's and Von Tempsky's work allow for a specific focus on military tactics. Other contemporary evidence, like Governor George Grey's proclamation, issued on the 11th of August 1863, reveals aspects of the political strategy, and the discourse and motives behind the Crown's plan to invade.[97] Together with the Suppression of Rebellion Act 1863 and the New Zealand Settlements Act 1863, British coloniser proclamations and Acts at the time offer explicit insights about their plot and political tactics to take Māori land and suppress the local inhabitants.[98] The debates in the House of Representatives are also considered here, particularly Frederick Whitaker's assertion in December 1863 that the Crown knew how its actions would impact the Waikato and that these actions extended beyond land seizure. [99]

In addition to these useful primary sources, this thesis also draws on Richard Stowers' *Forest Rangers*, which traces the movements of that unit through the invasion and beyond.[100] Stowers' examination of roles undertaken by the unit, when compared to Clifford Simons' broader work, provides a good understanding of the approach Crown forces took during the invasion and why they saw the need for such an irregular unit. This thesis also refers to Richard Taylor's "Logistic Operations in the Waikato War 1863-64", which offers an excellent examination of how the Crown employed logistics in the invasion. [101] Logistics are vital to any military operation and their posture acts as an indicator of a force's intention.[102] Therefore, the logistical disposition of Crown forces as examined by Taylor is useful to understanding what the Crown's intention was in the Waikato invasion.

While this study does not focus on Māori perspectives of the invasion, it does draw on work to better present ideas around important topics such as Kūpapa (Crown

[97] Grey, pp. 277-278.
[98] The Suppression of Rebellion Act 1863; The New Zealand Settlements Act 1863.
[99] Frederick Whitaker, *New Zealand Parliamentary Debates Third Parliament Legislative Council And House or Representatives: 1861 To 1863*, ed. By M. Fitzgerald (Wellington: Government Printer, 1886), p. 859.
[100] Richard Stowers, *Forest Rangers* (Hamilton: Print House, 1992).
[101] Richard Taylor, "Logistical Operations in the Waikato War 1863-64", *New Zealand Army Military Studies Institute Occasional Papers Series*, 9, (2005), p. 5.
[102] Taylor, pp. 10-11.

loyalists) and "raupatu" (land alienation). This includes Richard Boast and Richard Hill's *Raupatu* (2009), which presents a Pākehā centric examination of how land seizures impacted Māori and how the Crown developed its long-term policy of land confiscation.[103] The taking of land, as this thesis argues, aligns with modern counter-insurgency strategy and theory, and is explored as a tactic used by the British to suppress Māori seen to be in "rebellion." Another key term is Kūpapa, a problematic identity marker of those seen as supposedly loyal to the Crown (discussed above). To address this issue, this study refers to the work of Ron Crosby, Monty Soutar, and Denise Ewe, who all write on the subject.[104] Crosby's work addresses the myth of "loyal" Māori and counters the simplistic understanding that iwi were either for, or against, the Crown or Kīngitanga.[105] Understanding the lack of concrete alliances between iwi and the invading British partly explains the Crown's desire to assert and establish its legitimacy. As this thesis contends, this was part of a wider approach that might now be understood as counter-insurgency theory.

Summary

To answer whether or not modern counter-insurgency strategies can be seen, and were intentionally used before, during, and after, the 1863 Waikato invasion, this thesis is divided into five chapters.

Chapter One provides a broad overview of modern counter-insurgency theory through six key principles, and two other strategic approaches that can be seen in the invasion of the Waikato in 1863. It addresses the problem of applying a problematic modern counter-insurgency binary framework to Māori who were not "rebels" or insurgents. The chapter also notes how counter-insurgency was learned and tested

[103] Richard Boast & Richard S. Hill, eds., *Raupatu: The Confiscation of Maori Land* (Wellington: Victoria University Press, 2009).
[104] Crosby, pp. 8-9. Soutar, p. 21. Ewe, p. 77.
[105] Crosby, p. 13.

over centuries of British and American colonial violence and land dispossession directed at Indigenous peoples like Māori.

Chapter Two examines how the British and Kīngitanga forces, and their approach to warfare, were in many ways defined by their prior experiences of warfare and existing "social conditions." It examines the composition of both the British and local Māori forces and assesses their "core military aspects" to reveal how they expected to fight during the Waikato invasion.

Chapter Three explores how the violent assertion of British sovereignty in 1863 was part of a continued counter-insurgency approach in New Zealand intended to legitimise their governing power. It offers a brief background of key events leading up to the invasion, including the impact of the Waitara purchase in Taranaki and the political challenge to British legitimacy posed by the Kīngitanga. It also considers the significance of the 1860 hui at Kohimārama as part of a British counter-insurgent strategy that was also complemented by the passing of specific contemporary legislation, and the establishment of Māori Land Courts.

Chapter Four is the first of two chapters that look at the presence of modern "military" and "political" counter-insurgency strategies in the British invasion and Māori resistance approaches in 1863. It focuses on the military specific "combat" tactics employed by both the Crown and Kīngitanga forces, and considers these in four explicit examples. It investigates the counter-insurgency tactics and strategy employed by the Crown forces throughout the campaign, with specific attention given to logistics and British security operations.

Chapter Five also considers four contemporary examples in a closer exploration of how specific "political" counter-insurgency tactics were employed during the invasion. It examines how these political tactics were used to secure or advance British legitimacy and to sanction their invasion and use of violence.

Beginning with an unpacking of the key principles of modern counter-insurgency theory and tactics, this study considers how counter-insurgency is evident in the composition, historical backgrounds, and the military and political strategies, of both 1863 British and Māori forces. It considers how counter-insurgency is not simply a modern phenomenon, but a complex approach to warfare tested over centuries of political, military, social, and colonial experience and history.

Chapter 1: Introduction to Counter-insurgency Theory

Counter-insurgency is seldom mentioned in New Zealand Wars historiography. The exceptions to this are the works of Clifford Simons, Garry Clayton and Des Kahotea, but even they do not examine how counter-insurgency is conducted or the theory behind it.[1] James Belich refers to "Guerrilla" tactics in *The New Zealand Wars and the Victorian Interpretation of Racial Conflict*, but similar to Simons' and Clayton's use of "insurgent", Belich does not unpack its deeper meaning.[2] Applying modern counter-insurgency theory to a reading of the Waikato invasion provides opportunities to explore how it is present in, and ties together, the social, political, economic, and military aspects of colonial suppression. To apply counter-insurgency theory, however, it must be understood beyond the North Atlantic Treaty Organisation (NATO) definition.[3] This chapter examines the concepts found in counter-insurgency theory. While examining the meaning and definition of counter-insurgency, this chapter addresses the problem of applying a modern concept like counter-insurgency to a historical event, particularly its labelling of combatants within binary essentialist terms, such as "government loyalists" and "insurgents", that fail to disrupt powerfully embedded coloniser-centric perspectives.[4] These concepts include the six principles of counter-insurgency used by the British Army in *AFM 1-10* and the Templer-Briggs inspired "Clear, Hold, Build" approach, as a means of securing a

[1] Garry Clayton, "Defence Not Defiance: The Shaping of New Zealand's Volunteer Force" (PhD, University of Waikato, 1990); Des Tatana Kahotea, "Rebel Discourses: Colonial Violence, Pai Marire Resistance and Land Allocation At Tauranga" (PhD thesis, University of Waikato, 2005).
[2] James Belich, *New Zealand Wars and the Victorian Interpretation of Racial Conflict* (Auckland: Auckland University Press, 2013).
[3] NATO defines an insurgency "as the actions of an organised, often ideologically motivated group or movement that seeks to effect or prevent political change of a governing authority within a region."; Andre Rakoto and Gary Rauchfuss, 'Counterinsurgency A General Reference Curriculum', *NATO* (2017) <https://www.nato.int/nato_static_fl2014/assets/pdf/pdf_2017_09/20170904_1709-counterinsurgency-rc.pdf> [accessed 27 August 2021].
[4] Ron Crosby, *Kūpapa: The Bitter Legacy of Māori Alliances with The Crown* (Auckland: Penguin Random House, 2015), p. 90.

region and its population.[5] The counter-insurgency concept of "Hearts and Minds", and its frequent misapplication and misinterpretation is also discussed in this chapter. This discussion on counter-insurgency draws on the 2009 publication *British Army Field Manual* [6]and the 2014 edition of the United States Army *FM 3-24 Insurgencies and Countering Insurgencies*.[7] As discussed in the introductory chapter, these sources were chosen due to their clarity and direct lineage from the Waikato invasion, as is the case with *AFM 1-10*.[8] Although they were written more than two hundred years after the Waikato invasion, this thesis contends that the *AFM 1-10* and *FM 3-24* concepts of modern counter-insurgency were shaped by the lessons learned from colonial conflicts like those in Aotearoa in the 1860s.

Alongside the two manuals noted above, Ian Rigden's 2010 text, *The British Approach to Counterinsurgency Myths, Realities and Strategic Challenges* is also well used in this chapter. It places British counter-insurgency operations in a wider colonial context that translates well to the New Zealand Wars.[9] This chapter illustrates how counter-insurgency concepts were implemented before and after the Waikato invasion through two examples. The first of these is the Malayan Emergency (1949-1951), which was selected as an example because of the lack of international support for local insurgents, and in many ways was similar to the Waikato context.[10] The second example comes from the First Afghan War of 1839-1842, which shared parallels with the Waikato campaign.[11] It was an invasion and counter-insurgency operation by the Crown that took place twenty years before the events in Aotearoa New Zealand.

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[5] Warfare Development, *British Army Field Manual Volume 1 Part 10: Counterinsurgency* (London: Ministry of Defence, 2009).
[6] Warfare Development, p. 1.
[7] Headquarters Department of The Army, *FM 3-24: Insurgencies And Countering Insurgencies* (Washington DC: Headquarters Department of The Army, 2014).
[8] AFM 1-10 is a British Army publication, Warfare Development, p. 1.
[9] I.A. Rigden, 'The British Approach To Counterinsurgency: Myths, Realities, And Strategic Challenges', in *Short Of General War: Perspectives On The Use Of Military Power In The 21st Century*, ed. By H.R. Yarger (Carlisle PA: Strategic Studies Institute, 2010), pp. 207-230.
[10] Andrew Mumford, *The Counter-Insurgency Myth: The British Experience of Irregular Warfare* (Abingdon: Routledge, 2012), p. 25.
[11] Ali Ahmad Jalili, *A Military History of Afghanistan: From The Great Game to the Global War on Terror* (Lawrence KS: University Press of Kansas), p. 117.

However, this chapter begins with a brief explanation of the public view of counter-insurgency operations today, and how they relate to the invasion of the Waikato.

The Historical Roots of Modern British Counter-insurgency

Since the attacks on the Twin Towers in New York on the 9th of September 2001 "counter-insurgency" has become a buzzword in military and political circles, with campaigns in Afghanistan (2001-2022) and Iraq (2003-2011) well-known examples of the use of the term.[12] These American led operations in Afghanistan and Iraq were interventionist in nature, with an external force providing a significant contribution to the offensive counter-insurgent force.[13] They were unusual in that the counter-insurgent government involved with fighting the insurgents was itself recently formed by external powers and had no prior legitimacy. The popular use of the phrases "counter-insurgency" and "hearts and minds" by specific media at the time sought to influence global opinion and legitimise the interim governing power.[14] It could be said, then, that modern counter-insurgency operations were invented by America, but these strategies of suppression were learned in colonial theatres of war where British and American military forces tested the violent subjugation of Indigenous insurgents across various colonial outposts.

Counter-insurgency operations are not simply an American invention. They are almost exclusively an exercise in asserting imperial ambition by various regimes across time, oceans, and continents in other peoples' territories. In *Invisible Armies* Max Boot observes that the first recorded example of a counter-insurgency was 2334 BC.[15] The Akkadian empire, founded by Sargon of Akkad, he argues, was the first recorded

[12]Paul Rich, *The Routledge Handbook of Insurgency and Counterinsurgency* (London: Routledge, 2012), p. 278.
[13] Rich, p. 303.
[14] Ibrahim Al-Marashi, 'Iraq's Hostage Crisis: Kidnappings, Mass Media and the Iraqi Insurgency', (Ankara Turkey: unpublished conference paper, *The Media: The Terrorists' Battlefield*, Centre of Excellence Defence Against Terrorism, 2007), p. 63.
[15] Max Boot, *Invisible Armies: An Epic History Of Guerrilla Warfare From Ancient Times To The Present* (New York NY: Liveright Publishing, 2013), p. 13.

imperial power.[16] This first empire faced "uprisings" and "rebellions" by insurgents, which eventually grew strong enough to weaken Akkadian power severely.[17] Ancient Rome was another example. Like the Akkadians it faced "rebellions" constantly, perhaps most famously the uprising of 66 AD in Judea, as recorded by Josephus, when Jewish insurgents managed to ambush and destroy an entire legion.[18] According to Max Boot, empires crushed "rebellions" and "revolts" using harsh coercive tactics, with an almost universal failure to permanently quell the "rebels".[19]

This brutal approach continued well into the twentieth century in Indigenous territories around the world, where colonial imperialists like France, Spain, Britain, and others still reside.[20] The "humanitarianist" approach that British colonisers claimed as one motive in "civilising" Aotearoa, clashed with their historic counter-insurgent tactics that often appeared more like genocide and theft than "protection."[21] With local perspectives often ignored, colonial invader states saw themselves as both normal and legitimate with varying success. Over time, colonial invaders, as was the case in the "Indian Mutiny" of 1857-1859, used political as well as military means to coerce, divide, and "integrate" Indigenous populations or people into local colonial government to limit or control future "rebellions."[22]

Coloniser-centric ideas of "legitimate rule" continued in various Indigenous territories around the world well after the supposed decolonial period following the

[16] Boot, p. 14.
[17] Boot, p. 14.
[18] Boot, p. 2.
[19] Boot, pp. 571-589.
[20] Boot, pp. 56-57. Douglas Northrop, *An Imperial World: Empires and Colonies Since 1750* (Old Tappan NJ: Routledge, 2013), p. 146. An example of one of these brutal counterinsurgency campaigns was the French counter-insurgency in Algeria. David Galula and Bruce Hoffman, *Pacification in Algeria 1956-1958* (Santa Monica CA: RAND Corporation, 2006), p. 256. An example of an ongoing imperial colony is French Guiana, Joshua Hyles, *Guiana and the Shadows of Empire: Colonial and Cultural Negotiations at the Edge of the World* (Lanham MD: Lexington Books, 2014), p. 3.
[21] Judith Simon and Linda Tuhiwai Smith, eds., *A Civilising Mission? Perceptions and Representations of the New Zealand Native Schools System* (Auckland: Auckland University Press, 2001), p. 302. Belich, p. 299.
[22] Ian Beckett, *The Roots of Counterinsurgency* (London: Blandford Press, 1988), p. 48.

Second World War.[23] Counter-insurgency, more than a seemingly anachronistic term in the history of imperial invasion and control, is an approach to quelling rebellion and uprising evident in various historical contexts like South Africa, America, and New Zealand.[24] Empires like Britain preferred the term "rebels" to describe non-compliant Indigenous populations in their nineteenth-century correspondence and propaganda during the New Zealand Wars.[25] But their tactics, although not explicitly called counter-insurgency at the time were, as this thesis will show, embryonic and reflective of what scholars and military experts understand today as counter-insurgency approaches. The elephant in the room, of course, is the fact that Māori and iwi defenders were protecting their territories from invasion and their Native rights from further colonial erosion. They were, then, certainly not "rebels" or insurgents in their own lands, but victims of imperial expansion. This thesis does not dispute this fact and is careful to note that while it explores the concept of counter-insurgency theory as used by the Crown in the Waikato invasion the labels used in this chapter, like "Kūpapa" do not reflect local Indigenous perceptions of themselves as historical subjects, but the Crown's perception of them.[26]

The Power to Name: What is an "Insurgent"?

Are insurgents terrorists, rebels, guerrillas, revolutionaries, traitors, or bandits? These labels are often imposed by the counter-insurgent to vilify local resistors and are seldom adopted by the "insurgents" themselves.[27] Herein lies the problem of a counter-insurgency operation; determining who is an insurgent. In colonial history,

[23] Robert Gildea, *Empires of the Mind: The Colonial Past and the Politics of the Present* (Cambridge: Cambridge University Press, 2019), p. 70.
[24] Joye Bowman, "Reconstructing The Past Using The British Parliamentary Papers: The Anglo Zulu War of 1879", *History in Africa,* 31, (2004), p. 120. Jack Greene, *A Companion to The American Revolution* (Malden MA: Blackwell Publishers, 2000), p. 17.
[25] Belich, p. 197.
[26] Crosby, pp. 12-15.
[27] Andrew Gawthorpe, "All Counterinsurgency is Local: Counterinsurgency and Rebel Legitimacy", *Small Wars & Insurgencies*, 28:4, (2017), p. 849.

such as New Zealand's, Indigenous peoples were widely dehumanised and misrepresented by the West as savage and barbaric.[28] This defining of the enemy as the "Other" is found in contested colonial territories and was driven by racist ideologies and policies over centuries of colonial expansion.[29] It is a tactic observable in and beyond colonial states. During the Nazi counter-insurgency in Yugoslavia, for instance, it was determined that "Partisan" was not an appropriate name for enemies of the Nazis and the title "Bandits" became the official term.[30] Naming has long been considered a means of asserting power, especially in colonial contexts. Linda Tuhiwai Smith has asserted that the colonist's desire to name landmarks in New Zealand was a way of entering them "into the West's archive as the spoils of discovery."[31] This naming and claiming of the "other" as an act of colonial power is especially evident in the use of the term "rebel" in nineteenth century Waikato.[32] This thesis does not argue that Māori in the nineteenth century and today were insurgents or rebels, but that British military strategists nevertheless used these terms and names deliberately to delegitimise Māori power and assert their own claims to sovereignty and governance. Moreover, this identifying and naming of Indigenous peoples as insurgents and rebels is itself an aspect of counter-insurgency strategy then and now.

The Significance of Legitimacy to Counter-Insurgency Strategy

At its core, counter-insurgency is the battle for legitimacy between the insurgent and the government. Legitimacy is defined in *AFM 1-10* as "a population's acceptance of its government's right to govern or of a group or agency to enforce decisions"; it must be seen as "genuine and effective."[33] According to the manual, the insurgent's aim is to discredit the counter-insurgent while establishing its own legitimacy, and both the

[28] Belich, p. 13.
[29] Edward Said, *Orientalism* (New York: Random House, 1979), p. 21.
[30] Boot, p. 311.
[31] Jack Norris, "The Naming of The Yarra River as An Act of Colonialism", *Agora*, 56:3, (2021), p. 84.
[32] George Grey, "Notification To The Chiefs Of The Waikato", *New Zealand Gazette*, 15 July 1863, pp. 277-278.
[33] Warfare Development, p. 12.

counter-insurgent and the insurgent have their own military and political wings.[34] During the Waikato invasion the Kīngitanga was completely independent from the Crown, and had its own government, code of laws, and constitution.[35] As the manual states, in asserting their claims to legitimacy, both the insurgent and the counter-insurgent aim to win over the local population, making them their focus. Insurgency in this regard, is described as "the organized use of subversion and violence to seize, nullify, or challenge political control of a region."[36]

In contrast, the counter-insurgent (or in 1863, the British) aims to use the same methods to retain, or gain, legitimacy.[37] Thus, the constant goal for both the insurgent and counter-insurgent is to appear legitimate or "normative" to the population while rendering their opponent (Māori in 1863) as "Other."[38] The "Other", as Edward Said argued, is the "distinction between "them" and "us."[39] This distinction is used in counter-insurgency to gain legitimacy by vilifying the insurgent, and centralising the counter-insurgent as the hero. During the Waikato invasion, "othering" or delegitimising the Kīngitanga was partly done by public proclamation that named them "rebels" and "murderers" intent on attacking innocent settlers.[40] Counter-insurgency theory today affirms that not only must the counter-insurgent vilify the insurgent, but it must also ensure that the local population sees the counter-insurgent as effective. Without effectiveness, the counter-insurgent cannot offer a positive alternative to the insurgent.[41] This approach was highlighted by James Belich, who points out how "paper victories" claimed by the Crown were orchestrated to allay public fears, but also to provide opportunities for the Crown to present itself as

[34] Headquarters Department of The Army, p. 20.
[35] Ranginui Walker, *Ka Whawhai Tonu Mātou: Struggle Without End* (Clayton: Griffin Press, 2004), pp. 112-113.
[36] Headquarters Department of The Army, p. 14.
[37] Warfare Development, pp. 33-34.
[38] Said, p. 48.
[39] Said, p. 336.
[40] Vincent O'Malley, *The Great War For New Zealand Waikato 1800-2000* (Auckland: Bridget Williams Books, 2016), p. 408.
[41] Belich, p. 16.

competent protector of the colony and Māori as violent dissenters.[42] Legitimacy, as a counter-insurgency strategy, is enacted as a solution by controlling motives and narratives in support of counter-insurgents and against insurgency.[43]

The Contest for Legitimacy

Counter-insurgency theory contends that measuring or assessing legitimacy is "neither tangible nor easily quantifiable."[44] It is the goal of a counter-insurgency to have its governance not merely tolerated but legitimately accepted. This was certainly the case in the invasion of the Waikato, where to "dig around the Kīngitanga" was a clear British tactic meant to destabilise and weaken supposed "rebel" Māori while simultaneously strengthening and legitimising the British.[45] Modern counter-insurgency theorists assert that "[w]ithout legitimacy, a political settlement will not endure", and this can be achieved:[46]

> [B]y some mixture of consent and coercion. Insurgents use all available tools, including political (diplomatic), informational (including appeals to religious, ethnic, historical, national, class, political, tribal or ideological beliefs), and social, military, and economic tools.[47]

The two primary means of asserting legitimacy are "coercion" and "consent." Coercive methods include violent and oppressive means like imprisonment and curfew, as well as lethal force.[48] These methods are used to frighten the population

[42] During the Foreshore and Seabed march in 2004, Labour Party Leader Helen Clark denounced "the haters and wreckers … wanting to do a Waitangi in every town." Helen Clark, Interview for One News, 4 May 2004. Māori have been vilified by colonisers over generations as "savages", "rebels", "terrorists", and other labels that normalised racist deficit theories and stereotypes. Nēpia Mahuika, "Closing the Gaps: From Post-colonialism to Kaupapa Māori and Beyond", *New Zealand Journal of History*, 45:1, (2011), pp. 15-32.
[43] Martijn Kitzen, "Legitimacy is the Main Objective': Legitimation in Population-Centric Counterinsurgency", *Small Wars & Insurgencies*, 28:4, (2017), p. 862.
[44] Warfare Development, p. 12.
[45] John Gorst, *The Maori King* (Auckland: Oxford University Press, 1959), p. 208.
[46] Warfare Development, p. 12.
[47] Headquarters Department of The Army, p. 150.
[48] Jacqueline Hazelton, "The 'Hearts and Minds' Fallacy: Violence, Coercion and Success in Counterinsurgency Warfare", *International Security*, 42.1, (2017), pp. 89-90.

into accepting the government's legitimacy, since there is no means to safely oppose it.[49] Counter-insurgency theory also notes that "an illegitimate government's only method of controlling its population is [via] coercion" and as such it is meant to be the last resort of a counter-insurgency operation.[50] During the Waikato invasion the Crown used coercive methods such as seizing land from Waikato Iwi, and the invasion itself, with the intent of forcing its version of legitimacy upon them.[51]

Legitimacy is also influenced by a population's cultural and social norms, and in counter-insurgency approaches allows significant coercive methods to be used.[52] Consenting methods are more diverse than coercive approaches, and far more difficult to apply.[53] The most universal example of collective consent can be seen in elections, which appear to provide choice around the selection of government representation. But elections, to be successful in legitimising a government, need to be seen as robust and appropriate.[54] Accordingly, consent is entirely dependent on the population's response to a government's initiative, not the initiative itself. This is echoed in the British counter-insurgency Field Manual which states that a "host nation that is less efficient but perceived as legitimate by the population will be more effective than an efficient host-nation government that cannot be justified by the values and norms of the population."[55] In counter-insurgency theory, then, consent and coercion are complementary in asserting a government's legitimacy and can only be ratified by the population itself. The "populations" that the 1863 British invading forces in the Waikato sought legitimacy from were a mixture of those residing in the colony, those

[49] Hazelton, p. 112.
[50] Headquarters Department of The Army, p. 21.
[51] Walker, pp. 129-130.
[52] Kitzen, pp. 855-856.
[53] Warfare Development, p. 11.
[54] Samuel Greene, Pathological Counterinsurgency: How Flawed Thinking About Elections Leads to Counterinsurgency Failure, *Third World Quarterly*, 38.3 (2016), pp. 563-564.
[55] Headquarters Department of The Army, p. 21.

at home in Britain, and other imperialists whose sights were also set on expanding their business into the Pacific.[56]

The impact of the effective implementation of legitimacy on a counter-insurgency campaign cannot be overstated. This impact is especially true in the Waikato invasion. After the invasion concluded in 1864, local Waikato Māori focused on survival and rebuilding, with remnants of the Kīngitanga suffering extreme hardship as exiles.[57] This lack of armed opposition after the invasion's conclusion, was not an acceptance of the Crown, nor did it mark a resolution to the issue of uncontrolled land sales that had been a core reason for the formation of the Kīngitanga.[58] Instead, Waikato Iwi and the Kīngitanga carried their grievances against the Crown for the land seizures for generations, boycotting participation in the First World War and, in a settlement claim in the 1990s, eventually forced the colonial government to acknowledge its illegal invasion.[59] The Crown's coercive legitimacy measures in the 1863 invasion and its subsequent land confiscations demonstrated a deliberate aim to use the pretence of Māori rebellion in order to sanction what they later admitted to be illegal aggression and premeditated violence.[60] The concept of legitimacy in the Waikato invasion can be seen as part of a counter-insurgency strategy that sought support by compensating soldiers and others, demonising "rebel" Māori, and controlling the various public and global narratives of the day.[61]

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[56] The English version of the Treaty of Waitangi (Treaty of Waitangi Act 1975) was worded explicitly to show other colonial powers that the British were officially annexing New Zealand. Since 1840, they needed to show not only other colonisers, but also local peoples in Aotearoa that they were the legitimate power. F.M. Brookfield, "The New Zealand Constitution", in *Waitangi: Maori & Pakeha Perspective of the Treaty of Waitangi*, ed. by I. H. Kawharu (Oxford: Oxford University Press, 1989), pp, 14-16; Mason Durie, "The Treaty of Waitinga: Perspectives for Social Policy", in *Waitangi: Maori & Pakeha Perspective of the Treaty of Waitangi*, ed. by I.H. Kawharu (Oxford: Oxford University Press, 1989), p. 294.

[57] O'Malley, pp. 508-509.

[58] O'Malley, p. 78.

[59] Martin Fisher, "The politics of history and Waikato-Tainui's Raupatu Treaty Settlement", *New Zealand Journal of History*, 50:2 (2016), pp. 68-89.

[60] Waikato-Tainui Deed of Settlement (22nd May 1995), p. 6.

[61] O'Malley, p. 460.

Thus, the Crown gained legitimacy in the Waikato from a consenting coloniser population and at the same time adopting a coercive approach against the Kīngitanga.

The Six Principles of Counter-insurgency

This thesis draws heavily on modern counter-insurgency theory to explore aspects of the Waikato invasion. Despite various iterations of counter-insurgency approaches, the British manual referred to in this study outlines the counter-insurgency approach in six key principles. These are:

(1) "political primacy",
(2) "coordinated government machinery",
(3) "intelligence and information",
(4) "separating the insurgent from his support",
(5) "neutralising the insurgent", and
(6) "longer-term post insurgency planning."[62]

The first three principles are requirements for a strong counter-insurgency operation, while the remainder are methods for achieving these requirements. These principles originate from the work of Sir Robert Thompson in his 1966 publication, *Defeating Communist Insurgency: Experiences from Malaya and Vietnam.*[63] In it he referred to only five principles: (1) a clear political aim, (2) work within the law, (3) development of an overall plan, (4) defeat political subversion, and (5) secure base areas.[64] Thompson's work focussed heavily on a "moderate approach" that aimed to provide a proportional response to insurgency.[65] In comparison, General Sir Frank Kitson's 1971 work, *Low Intensity Operations: Subversion, Insurgency, Peace-keeping* contained just four key explanatory points: (1) good coordinating machinery, (2) the propaganda war, (3)

[62] Warfare Development, p. 4.
[63] Robert Thompson, *Defeating Communist Insurgency: Experiences from Malaya and Vietnam* (New York NY: Frederick A. Praeger, 1966).
[64] Rigden, p. 211.
[65] Rigden, pp. 211; 226.

effective intelligence, and (4) operating within the law.[66] Like Thompson, Kitson's work was heavily based on his experience in Malaya.[67] In 2010, Ian Rigden's approach combined both Thompson's and Kitson's principles, along with the principles found in *AFM 1-10*, into 17 key premises about the nature of counter-insurgency tactics.[68] Rigden's list of seventeen premises is much larger and complex, but the six-principles in the *AFM 1-10* approach still share strong parallels with Rigden's premises, and in the scope of this study are more accessible and manageable. While this chapter uses only the six principles from *AFM 1-10*, it is useful to acknowledge the existence of the 17 points because they provide deeper insight into the nature of counter-insurgency operations than can be explored in the scope of this thesis.[69] The following sections consider each principle in more depth.

Counter-insurgency Principle 1: Political Primacy and Political Aim

According to the modern British manual, the counter-insurgency principles of "political primacy" and "political aim" focus on gaining the local population's support.[70] As such the focus is always on the political goal, and each branch works toward achieving that outcome, even if the aim is as simple as removing the insurgent influence in the region.[71] Since legitimacy requires the counter-insurgent to be seen as

[66] Frank Kitson, *Low Intensity Operations: Subversion, Insurgency, Peace-keeping* (London: Faber and Faber, 1971); Rigden, p. 211.
[67] Rigden, p. 211.
[68] Rigden's 17 Points: "1 Insurgency is war", "2 Every insurgency is unique", "3 The essentiality of envisioning the long-term post-conflict end-state", "4 Geography matters", "5 Not to engage in a war or campaign", "6 The requirement for a clear plan", "7 Rapid adaption is inherent to success", "8 Politics is the focal point", "9 Hearts follow minds in counterinsurgency", "10 The requirement for a coordinated multiagency government", "11 It is essential to work within the rule of law", "12 Counterinsurgents must only use the appropriate force necessary for the situation faced", "13 Campaigns must be suitably resourced to be truly effective", "14 Accurate and timely information and intelligence are vital to success", "15 The use of Indigenous forces is essential to building an enduring peace for the country concerned", "16 Increasing constraints and less freedom of action characterise modern campaigns", and "17 Negotiation is an inherent aspect of counterinsurgency", Rigden, p. 224.
[69] *AFM 1-10* (2009) uses 10 rather than the 6 points of *AFM 1-10* (2001). These 6 points are retained due to their ongoing primacy, *AFM 1-10*, p. 49.
[70] Warfare Development, p. 50.
[71] Headquarters Department of The Army, p. 89.

"genuine and effective" it is vital that the counter-insurgent has a coherent political aim to present to the local population.[72] Furthermore, "real peace means reintegrating into society its disaffected elements."[73] If the grievance that caused the insurgency is addressed, then a stable "peace" is possible.[74] This can only be achieved through political means. In the Waikato campaign however, the political aim was suppression of Māori independence, not peace.[75] This meant being forcibly removed from their own lands, a strategy employed by American invaders who displaced Native Americans onto reservations, and in the Waikato where British colonisers illegally invaded and then divided up Māori territory, forcing the Kīngitanga into exile in te rohe potae.[76] Despite this, the Crown took steps to assimilate Waikato Māori into the colony through Native Land Courts and Native schools, albeit without compromise for Māori needs.[77] However, the success of a political goal requires a unified effort throughout the counter-insurgent force.

Counter-insurgency Principle 2: Coordinated Government Machinery

While having a cohesive political goal is important, modern counter-insurgency theory focuses on how to implement it.[78] Principle two, the coordination of "government machinery", looks closely at effectively implementing programmes created to support the counter-insurgency political aim.[79] This requires cohesion and communication between departments or branches within the government "machine",

[72] Warfare Development, p. 12.
[73] Anthony Joes, Resisting Rebellion: The History and Politics of Counterinsurgency (Lexington KY: University Press of Kentucky, 2004), p. 246.
[74] Anthony Joes, p. 9.
[75] Suppression of Rebellion Act 1863.
[76] Charles Geisler, 'Disowned by the Ownership Society: How Native Americans Lost Their Land', Rural Sociology, 79.1 (2014), p. 56.; Michael Belgrave, *Dancing With The King: The Rise and Fall of The King Country, 1864-1885* (Auckland: Auckland University Press, 2017), p. 17.
[77] Walker, Ranginui, *Ka Whawhai Tonu Matou: Struggle Without End* (Sydney: Griffin Press, 2004), p. 137.; Judith Simon, and Smith, Linda T., *The native schools' system 1867-1969 - Ngā kura Māori* (Auckland, Auckland University Press, 1988), p. 8
[78] Warfare Development, p. 81.
[79] Warfare Development, p. 170.

including the civil service and all its roles. In planning and executing the Waikato invasion, George Grey and General Duncan Cameron, among others, found themselves necessarily strategising ways to reach and sway public opinion.[80] There is a significant body of work that chronicles the colonial and suppressive systemic racism inherent in intergenerational "government machinery" in New Zealand.[81] Since the 1860s the colonial governing "machine" systematically sought to "assimilate" and "integrate" Māori into their cultural, social, and political patriarchal hierarchies.[82] Ranginui Walker's history denounces that goal in the book's title, *Ka Whawhai Tonu Matou mo ake ake* ("we will fight on without end").[83] For invading British forces, a counter-insurgency approach would focus on preventing corruption, and supporting all levels of government. But it also required security to prevent institutional corruption, a robust judicial system to ensure enforcement of anti-corruption measures, transportation to provide supplies, and local government to administer the programme at the local level.[84]

Counter-insurgency Principle 3: Intelligence and Information

According to modern counter-insurgency theory, a united political aim requires effective "intelligence and information", and is the stumbling block of many counter-insurgency campaigns.[85] In his book on intelligence during the New Zealand Wars, *Soldiers, Scouts and Snipers*, Clifford Simons highlights the role of military intelligence,

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[80] James Gump, "The Imperialism of Cultural Assimilation: Sir George Grey's Encounter with the Maori and the Xhosa, 1845-1868", *Journal of World History*, 9:1, (1998), pp. 103-104. Cultural, political, and economic assimilation of Māori was a goal for the colonial government, an indication of the extent of this effort is seen in *Struggle Without End* by Ranginui Walker, pp. 137-152.

[81] See for instance, Judith Simon, & Linda Tuhiwai Smith, eds., *A Civilising Mission? Perceptions and Representations of the New Zealand Native School System* (Auckland: Auckland University Press, 2001); Raeburn Lange, *May the people live: a history of Māori health development 1900-1920* (Auckland: Auckland University Press, 1999); David V. Williams, *"Te Kooti tango whenua": The Native Land Court 1864-1909* (Wellington: Huia Publishers, 1999).

[82] This is thoroughly discussed in the work of Peter Gibbons. Peter J. Gibbons, "Cultural Colonisation and National Identity", *New Zealand Journal of History*, 36:1 (1997), pp. 5-17.

[83] Ranginui Walker, *Ka Whāwhai Tonu Mātou, Struggle Without End* (Auckland Penguin, 1990).

[84] Warfare Development, p. 178.

[85] Warfare Development, p. 105.

but military intelligence is only one part of the equation.[86] Cultural intelligence is also necessary to avoid offending and isolating segments of the population, and is essential in winning over a community.[87] During his tenure in the Philippines fighting the Hukbalalhaps, Edward Lansdale used local cultural intelligence to create "vampire attacks" on "Huks" insurgents.[88] This utilisation of Indigenous knowledge proved highly effective for colonial invaders in various outposts across the British Empire, and many soldiers brought that knowledge and experience of Indigenous suppression to the Waikato.[89]

Alongside the gathering, use, and control of cultural information is intelligence related to economic and political concerns. Without it no counter-insurgency programme or campaign can be effectively targeted.[90] At the core of counter-insurgency, is the need to know all aspects of terrain - human and physical.[91] Knowing the Native, naming and claiming them and their territory in English, was a powerful strategy to assert ownership, assimilation, and control, in nineteenth century New Zealand.[92] Spying, surveillance, and intelligence gathering by some Waikato Māori helped the British know where Kīngitanga supplies lines were, who was supporting them and where to cut them off. After the Battle of Ōrakau in 1864, British attentions turned to Tauranga, a known base for Kīngitanga supporters.[93] This reflects modern counter-insurgency theory, which notes that the fourth principle that leads on from intelligence gathering is the separation of the insurgent from their base of support.

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[86] Clifford Simons, *Soldiers, Scouts And Spies: A Military History Of The New Zealand Wars 1845-1864* (Auckland: Massey University Press, 2019).
[87] Warfare Development, p. 114.
[88] Boot, p. 403.
[89] See for instance the work of Jill C. Bender, *The 1857 Indian Uprising and the British Empire* (UK: Cambridge University Press, 2016). Rhys Foy, "How did Gustavus von Tempsky's use of distasteful warfare immediately impact British Military strategy during the New Zealand Wars?" (Unpublished Honours dissertation, University of Waikato, 2021). Alexander, p. 5.
[90] Warfare Development, pp. 63-64.
[91] Warfare Development, pp. 63-64.
[92] Giselle Byrnes, *Boundary Markers Land Surveying and the Colonisation of New Zealand* (Wellington: Bridget Williams Books, 2015), p. 122.
[93] Evelyn Stokes, *Te Raupatu o Tauranga Moana: The confiscation of Tauranga lands [Volume 1]* (Report prepared for the Waitangi Tribunal: Hamilton, University of Waikato, 1990), p. 20.

Counter-insurgency Principle 4: Separating The Insurgent From Support

The fourth principle of counter-insurgency theory focuses on "separating the insurgent from his Support."[94] An insurgent force lacks the logistical support of a conventional army. However, both forces still need to fulfil the logistical requirements for the conflict. As such, an insurgent force requires personnel, funds, ammunition, nutrition, and transport, just as much as their opponent. These supplies are provided either domestically or internationally. International support can be seen in military aid; an example being the weapons and munitions provided by the Soviet Union and the People's Republic of China to the North Vietnamese Army during the Vietnam war.[95]

While external military supplies can make the insurgent a more dangerous opponent, the focus of the counter-insurgency force is to remove the insurgent's domestic support.[96] This was certainly the case in the Waikato, evident in the attack on Rangiaowhia, a major supply point for Kīngitanga troops.[97] In counter-insurgency theory, domestic support includes logistical support in the form of materials, food, fuel, safe havens, information and other political support.[98] It includes support in the form of local intelligence that allows an outgunned insurgency, like that of the Waikato Māori, to predict British counter-insurgency operations and avoid or interdict them.[99] Politically, support from the local population allows the insurgent to recruit and expand its force. This too was evident in the arrival of different ope taua from Tuhoe, Tuwharetoa, and the Te Tairawhiti to the Waikato, a reflection of their

[94] Warfare Development, p. 60.
[95] Douglas Blaufarb, *The Counterinsurgency Era: U.S. Doctrine And Performance* (New York NY Free Press, 1977), p. 252.
[96] Che Guevara, 'Guerrilla Warfare A Method', in *The Guerrilla Reader: A Historical Anthology*, ed. by W. Laqueur (New York NY: Meridian, 1977), p. 210.
[97] Ranginui Walker, *Ka Whawhai Tonu Matou: Struggle Without End* (Sydney: Griffin Press, 2004), p. 124.; The logistical importance of Rangiaowhia was noted by previous governor to New Zealand William Fox, stating that Rangiaowhia held "nearly the whole supplies of food of the rebel party", William Fox, *The War in New Zealand* (London: Smith, Elder and Co., 1866), p. 19.
[98] Warfare Development, pp. 34-36.
[99] Warfare Development, p. 64.

deep political bonds forged over generations of history before the arrival of Pākehā.[100] However, the removal of support for the insurgent force is difficult since it becomes "entrenched over time."[101] What is required is a way of removing the insurgent entirely, as the fifth principle demonstrates.

Counter-insurgency Principle 5: Neutralising The Insurgent

The fifth principle of counter-insurgency focuses on "neutralising the insurgent."[102] The *AFM 1-10* manual asserts that if there is no insurgent, then an insurgency cannot continue. Once the insurgent has been isolated from support and potential replenishment, then their activities and opposition are severely limited. The insurgent is locatable (using the intelligence from Principle three), and conventional tactical means can be used.[103] With counter-insurgency forces like the invading British almost always possessing a numerical and technological advantage, Māori in the Waikato were incredibly resilient and effective.[104] Years after the invasion, historian Keith Sinclair wrote that the Waikato remained a very "dangerous" place for the British, akin to America's "Wild West."[105] Without an entrenched insurgent presence, counter-insurgency forces like the British could then focus on the sixth principle, "Longer Term Post Insurgency Planning."[106]

[100] Walker, p. 125.
[101] Headquarters Department of The Army, p. 55.
[102] Warfare Development, p. 57.
[103] Headquarters Department of The Army, p. 14.
[104] Belich, pp. 198-199.
[105] Keith Sinclair, *Kinds of Peace: Maori People After the Wars, 1870-85* (Auckland: Auckland University Press, 2013), p. 69.
[106] Warfare Development, p. 49.

Counter-insurgency Principle 6: Longer Term Post Insurgency Planning

Principle six of counter-insurgency theory is "longer term post-insurgency planning", which focuses on preventing future insurgency.[107] The creation of a national government and its institutions is a key part of this process. Often, insurgents will be offered a role in that government, lending credibility to the regime and providing an alternative to violence as a political tool.[108] In support of creating a stable nation, services and infrastructure are rebuilt and expanded. Counter-insurgency theory argues that revitalised education and health services reduce inequality and can lead to greater national unity. But the introduction of the colonial British education and health systems in nineteenth century New Zealand created generations of inequality and trauma for Māori.[109]

The six principles found in *AFM 1-10* are useful in highlighting how the different aspects of the Waikato invasion were part of a counter-insurgency approach. These principles demonstrate how the invasion alone, while neutralising the Kīngitanga and separating it from its support, was part of an overarching political aim to remove the threat the Kīngitanga, or any other organised Māori opposition to Crown control Māori lands and assets, posed to the Crown's legitimacy.[110] This can be seen in the close relationship between the political and military efforts by the Crown, which will be examined later in this thesis. One approach that these six principles include, is "Clear, Hold, Build", which is also seen during the invasion of the Waikato.

[107] Warfare Development, p. 49.
[108] Warfare Development, pp. 14-15.
[109] See for instance M. Barrington, and T. H. Beaglehole, *Māori schools in a changing society: an historical review* (Wellington: New Zealand Council for Educational Research, 1974); Derek A. Dow, *Maori health & government policy 1840 – 1940* (Wellington: Victoria University Press & Department of Internal Affairs, 1999); Aroha Harris, Aroha, *Hikoi: forty years of Māori Protest* (Wellington, Huia Publishers, 2004); Judith Simon, and Linda T. Smith, *The native schools' system 1867-1969 - Ngā kura Māori* (Auckland, Auckland University Press, 1988).
[110] Belich, p. 21.

The Concept of "Clear, Hold, Build"

The first stage of "Clear, Hold, Build" in modern counter-insurgency theory aims to remove the insurgent presence from a region.[111] This is military led and resembles conventional warfare at a tactical level. "Clearing" involves the "Find-Fix-Strike-Exploit" approach.[112]. "Clear" is purely coercive and is very resource intensive in its application. The Waikato invasion and General Cameron's intent on advancing through the Waikato is an example of a clearing operation. Unlike conventional warfare, which focusses on destroying the opponent's force, the "Clear" strategy indicates an acceptance that the insurgent will avoid decisive engagements.[113] The battles of Meremere and Rangiriri during the Waikato invasion, where Kīngitanga forces withdrew with minimal losses, is an example of this approach. Once a region is cleared, it is devoid of insurgents, which means the operation shifts to "Hold."

The objective of "Hold" is described in counter-insurgency theory as "holding a cleared area to restore government."[114] This stage prevents insurgent infiltration and increases local security capability. It should be noted that "Hold" serves a similar purpose to "Secure" in modern military doctrine.[115] The role of "Hold" is a continuation of "Clear", but "units should not clear an area that they cannot hold" until those conditions exist.[116] "Hold", provides a protection to the local population, denying the insurgent access to support, while increasing the legitimacy of the counter-insurgency forces by demonstrating their effectiveness.[117] A failure to hold a cleared area is devastating to a counter-insurgency campaign, since it demonstrates the weakness of counter-insurgency forces.[118] To support this, "Hold" must be a

[111] "Shape" is not universally recognised in counterinsurgency doctrine. Headquarters Department of The Army, p. 121.
[112] Warfare Development, p. 80.
[113] Warfare Development, p. 104.
[114] Warfare Development, p. 89.
[115] Warfare Development, p. 56.
[116] Headquarters Department of The Army, p. 121.
[117] David Ucko, "The Five Fallacies of Clear-Hold-Build", *RUSI Journal*, 158.3, (2013), p. 55.
[118] Eric Jardine, "Population-centric Counterinsurgency and the Movement of Peoples", *Small Wars & Insurgencies*, 23.2, (2021), p. 281.

visible protection against the insurgent.[119] Furthermore, normalcy must be re-established with the population able to carry out their lives unhindered. Here, the counter-insurgency force must "protect people where they gather."[120] The local population must have access to all the facilities promised by the local government and counter-insurgency forces, to carry out normal business safely. Access to these facilities provides a return to "normalcy", as seen in the rapid settlement of Kirikiriroa following the invasion.[121]

"Hold" is also an opportunity to build up local security forces and phase out the involvement of intervening counter-insurgency forces. The presence of local security forces improves legitimacy by demonstrating the counter-insurgent government's effectiveness. This transition is fraught with the risk that host nation replacements are less capable than their counterparts and transitioning too early will result in failure. An example of this occurred in Afghanistan in 2021 where substandard Afghani forces could not withstand a Taliban surge.[122] In the case of the Waikato campaign, this was the creation of military settlements to relieve the regular forces who had led the invasion.[123] However, even if a transition to local forces is implemented successfully, a perpetual defensive war is unsustainable. The only way to end an insurgency is to remove the capacity for the insurgency and build a stable nation.

Counter-insurgency operations begin with clearing by force and holding with a strong military presence. "Build" is the final phase of "Clear, Hold, Build", once a region is secure. In "build", the focus shifts from coercive methods of establishing legitimacy to consensual methods. While military and coercive policing is still used

[119] Headquarters Department of The Army, p. 121.
[120] Warfare Development, p. 90.
[121] Headquarters Department of The Army, p. 163. Hensleigh Norris, *Armed Settlers* (Sydney: Halstead Press, 1963), p. 54.
[122] Chloe Hadavas. "The Year Kabul Fell Again", *Foreign Policy Journal*, 21 December 2021, https://foreignpolicy.com/2021/12/21/2021-kabul-fall-afghanistan-withdrawal-taliban-takeover/ [accessed 10 March 2022].
[123] O'Malley, pp. 449-450.

to prevent insurgents from infiltrating secured regions it is not the focus. *FM 3-24* acknowledges the threat posed by an insurgent presence, stating that "People who do not believe that they are secure from insurgent intimidation … do not risk overly supporting the host nation efforts".[124] Provided that the insurgent remains absent, the aim of the counter-insurgency forces is "carrying out programmes designed to remove the conditions that allow the insurgency to exist … tying inhabitants to host-nation security institutions, governing the rule of law, and strengthening the host nation's ability to provide legitimate and effective governance" according to *FM 3-24*.[125] This goes beyond assuring security for the local population and aims to create genuine support from the population. Accordingly, when addressing the causes of an insurgency the aim of the counter-insurgency is inherently political. This can be seen in *AFM1-10*'s description of "Build" with counter-insurgency forces needing to "Demonstrate [to the population] how the host government is going to make their life better".[126] In the Waikato invasion, the Crown had to appeal not only to the Kīngitanga and non-Kīngitanga affiliated Māori, but also its colonising population. Crown initiatives such as the creation of settlements in the Waikato were a means of demonstrating to the colonising population it could meet their demands for land and security.[127] *FM 3-24* states that, "Stability tasks predominantly build with many important activities being conducted by nonmilitary agencies."[128] At this stage the focus, while still firmly on defeating the insurgency, transitions to reinforcing the counter-insurgent's legitimacy. If the "build' stage is successful, the insurgency, while not over, has been decisively won by the counter-insurgency forces.

The "clear, hold, build" structure demonstrates the counter-insurgent's focus on gaining the support of the local population and in establishing legitimacy. It also highlights the importance of removing the insurgent from the population to starve

[124] Headquarters Department of The Army, p. 122.
[125] Headquarters Department of The Army, p. 122.
[126] Warfare Development, p. 92.
[127] O'Malley, p. 455.
[128] Headquarters Department of The Army, p. 122.

them of potential support. These approaches were seen in the Waikato invasion and will be covered in greater detail later in this thesis. While not a key part of the Waikato campaign, it is useful to also look at the concept of "hearts and minds" when examining counter-insurgency due to its prominence in the field.[129]

Winning the "Hearts and Minds" of the People

"That nauseating phrase" is how Gerald Templer described the concept of "Hearts and Minds".[130] The concept's name is attributed to Templer's 1952 address in Malaya in which he suggested that the answer to success lies "not in pouring more troops into the jungle" but in winning "the hearts and minds of the people."[131] However, use of the phrase can be found as far back as the 1776 American War of Independence, when General Sir Henry Clinton was credited to have commanded British forces to "[g]ain the hearts and subdue the minds of the Americans".[132] Due to its usage by the Johnson administration's oversight of its failed war in Vietnam, "hearts and minds" would be excluded from the 2014 version of *FM 3-24*.[133] "Hearts and minds" suggests gaining the consent of the population through positive means.[134] However, "hearts and minds" can only be implemented in a secure environment and requires control of the population.[135] This approach is voiced in the maxim "get 'em by the balls and their hearts and minds will follow."[136] Without controlling the population, there is no effective means of implementing a "hearts and minds" approach since an insurgent can still undermine the counter-insurgent by threatening the security it provides.[137]

[129] Rigden,p. 213.
[130] Boot, p. 384.
[131] Boot, p. 384.
[132] Boot, p. 384.
[133] Blaufarb, p.125.; Headquarters Department of The Army, pp. 1-201.
[134] Warfare Development, p. 204.
[135] Warfare Development, p. 205.
[136] Origin of phrase is disputed. Attributed to an "Anonymous US officer in Vietnam" by Dixon; Paul Dixon, "'Hearts and Minds'? British Counter-Insurgency from Malay to Iraq", *The Journal of Strategic Studies*, 32.3, (2009), p. 354.
[137] Warfare Development, p. 205.

"Hearts and minds" does not exclude coercive methods, controlling "minds" includes propaganda, and imprisonment of dissidents.[138] During the Waikato campaign Governor George Grey asserted that the return of confiscated land would have a "very beneficial effect on the minds of the dispossessed", demonstrating an understanding of coercive "hearts and minds".[139]

Counter-insurgency in Practice: Malaya

The Malayan Emergency has long been a poster child for British counter-insurgency throughout the world with its "hearts and minds" approach.[140] It was conducted between 1948 and 1960, famously led by Lieutenant General Sir Harold Briggs and General Sir Gerald Templer.[141] These men led the campaign between 1950, when Briggs was deployed to the Peninsula, and 1954; two years after Templer had assumed the role of governor of the Malayan colony.[142] The insurgency was racially divided between the local Malaysian population and immigrants of Chinese descent.[143] The Malayan Peninsula was separated from any foreign nations that could have supported an insurgency.[144] The Malayan campaign has all the aspects of a successful counter-insurgency campaign and is an example of how a campaign should be conducted. While occurring almost a century after the Waikato invasion, the racial division of the Malayan Emergency and its geographic isolation from potential support bears a strong similarity. Waikato Māori, much like the Malayan insurgents did not enjoy international support to further their cause. It is especially useful in demonstrating

[138] Hack, p. 304.
[139] George Grey, 'Memorandum: Enclosure 5 in No. 14", in *Further Papers Relating to The Military Operation in New Zealand* (London: Her Majesty's Stationery Office, 1864), p. 58.
[140] Karl Hack, *The Malayan Emergency: Revolution and Counterinsurgency at the End of Empire* (Cambridge: Cambridge University Press, 2021), p. 454.
[141] Blaufarb, pp. 42-43.
[142] Hack, pp. 119; 287; 337.
[143] Hack, p. 193.
[144] Blaufarb, p. 48.

how legitimacy and support from the population can be achieved in a colonial environment.

The political primacy and political aim of the British response to the Malayan Emergency was clear. The intent was to ensure that when independence from Britain was granted to Malaya, the new government would be favorable to the British.[145] There were few restrictions politically since the British had no interest in retaining control of Malaya. This intent robbed the insurgent force of political capital that had the potential to unite independence movements into the insurgency.[146] The handover of power to the local government was also a vital move and ensured the local government was seen as being the legitimate government, rather than a British force supporting Malaya's colonial status. The transition to an Indigenous government also demonstrated the primacy of a coordinated government since it relied on effective governance to gain the support of the local population.[147] The Malayan campaign also demonstrated the importance of removing the insurgent from the population. The creation of protected "New Villages" by Briggs prevented the insurgents from receiving support from potential supporters.[148] The hamlets also increased the government's support, since they removed the grievance of the landless "squatters", who had been the insurgent's base of support.[149] Malaya demonstrated that a political aim at the start of a campaign defines the entire campaign. It further demonstrated the effectiveness of separating the insurgent from their support and in generating support for the counter-insurgent. These approaches will be seen later in this thesis as part of the Waikato invasion. However, they were not seen in the First Anglo-Afghan War.

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[145] Blaufarb, p. 48.
[146] Leon Comber, *Templer and the Road to Malayan Independence* (Singapore: Institute of Southeast Asian Studies, 2015), p. 165.
[147] Hack, p. 288.
[148] Hack, p. 192.
[149] Hack, p. 192.

Counter-insurgency in Practice: Afghanistan

Unlike Malaya, the First Anglo-Afghan War of 1839-1842 was an example of a counter-insurgency failure.[150] The invasion was conducted by a combination of British and East India Company forces.[151] This force included a large contingent of unarmed "camp followers", which made up almost two-thirds of its strength, in anticipation of a swift campaign.[152] Resistance to the invasion was light and the invasion took a mere eight months before British forces installed Shah Shuja Durrani as their proxy ruler.[153] Following the invasion, the British presence was lowered, and Shuja Durrani was encouraged to establish a standing army, removing power from the Afghani warlords.[154] Warlords were prominent in Afghani politics and with large personal armies, enjoyed total independence.[155] This threatened the British proxy government under Shuja Durrani, who had not managed to gain legitimacy from the local population.[156] British forces failed to increase legitimacy either, relying instead on paying local warlords for support.[157] When these payments were reduced the warlords rebelled with support from the local population.[158] This escalation caused the previously loyal Durrani tribes to rebel against Shuja Durrani, with a Jihad declared on the 2nd of November 1841.[159] The capital of Kabul fell shortly after, on the 23rd of December.[160] Surrounded, the British invaders led by General Elphinstone decided to withdraw to India on the 1st of January 1842.[161] The British forces retreated

[150] Ludwig Adamec, *Historical Dictionary of Afghanistan*, *4th Edn* (Plymouth: The Scarecrow Press, 2012), pp. 16-17.
[151] Antoinette Burton, "Introduction: The Anglo-Afghan Wars in Historical Perspective", in The First Anglo-Afghan Wars: A Reader, ed. by A. Burton (Duke University Press, 2014), p. 3.
[152] Boot, p. 166.
[153] Mowbray Morris, *The First Afghan War* (London: Sampson Low, Marston, Searle & Rivington, 1878), p. 23.
[154] Boot, p. 165.
[155] Henry Havelock, "Narrative of the War in Afghanistan (1840)", in *The First Anglo-Afghan Wars: A Reader*, ed. by A. Burton (Duke University Press, 2014), p. 54.
[156] Florentia Sale, "A Journal of Disasters in Afghanistan (1843)", in *The First Anglo-Afghan Wars: A Reader*, ed. by A. Burton (Duke University Press, 2014), pp. 77-78.
[157] Sale, p. 77.
[158] Mohan Lal, "The Life of the Amir Dost Mohammed Khan (1846)", in *The First Anglo-Afghan Wars: A Reader*, ed. by A. Burton (Duke University Press, 2014), p. 114.
[159] Boot, p. 166.
[160] Boot, p. 167.
[161] Boot, p. 167.

only to be harried by repeat attacks which culminated in an ambush at the Kurd-Kabul pass where most of the British force was killed.[162]

The failure by the British to establish the Durrani government's legitimacy in Afghanistan was the cause of their eventual defeat. The British invaders had failed to understand the important role warlords played in Afghan society. Instead, they chose to rely on financial incentive instead of working with the population.[163] Without legitimacy the British forces never managed to convince the Afghani population to support the Durrani regime. Thus, the British remained the invader in Afghanistan, leaving them vulnerable to an insurgent opposition with overwhelming support. The embarrassment of the First Anglo-Afghan War was still in British institutional memory during the Waikato Invasion.[164] Lessons learned from failing to control the local population were remembered in the Waikato invasion, evidenced by the introduction of the New Zealand Settlements Act 1863 which sought to establish an occupying settler population.[165]

Summary

This chapter has been ambitious in providing a broad overview of counter-insurgency theory, definitions, principles and doctrines as they relate to the New Zealand focus of this thesis. It offered one definition of counter-insurgency as "an exercise in asserting imperial ambition by various regimes across time, oceans, and continents in other peoples' territories." Indeed, as this chapter has argued, British counter-insurgency operations have been part of a long timeline of testing these tactics and approaches in colonial theatres of invasion and other contexts that translates well to a reading of the New Zealand Wars. This was briefly explored in two examples before

[162] Burton, p. 1.
[163] Sale, p. 77.
[164] Burton, p. 10.
[165] New Zealand Settlements Acts 1863 (27 Vict No.27, 3 December 1863).

and after the Waikato campaign; in the failures learnt from the First Afghan War of 1839-1842 and visible again in the effectiveness of separating the insurgent from their support in the Malayan Emergency (1949-1951). These examples also served to demonstrate what counter-insurgency does and, more importantly, does not look like in practice.

Another key point considered in this chapter, emphasised how invading British officials deliberately used the term "rebels" during the 1863 Waikato invasion to name and "other" Indigenous Māori resistors and present them to the public as insurgents. This labelling of combatants within problematic binary essentialist identities of "government loyalists" and "rebels", as this chapter argued, is consistent with the counter-insurgency battle for legitimacy, and its' tactics of "consent" and "coercion." Māori, as this chapter also emphasised, were not rebels or insurgents, but nevertheless enacted common insurgent approaches to resist British invasion. This chapter also asserted that applying modern counter-insurgency theory to a reading of the Waikato invasion provides opportunities to explore how it is present in, and ties together, the social, political, economic, and military aspects of colonial suppression over time.

The main focus of this chapter, however, was its introduction of the six key principles of counter-insurgency theory, which are (1) political primacy and political aim, (2) coordinated government machinery, (3) intelligence and information, (4) separating the insurgent from his support, (5) neutralising the insurgent and (6) longer-term post insurgency planning. The principle, "political primacy and political aim", as this chapter showed, work together in counter-insurgency theory to drive the approach cohesively toward a specific united political goal. But to achieve that goal, a coordination of "government machinery" is necessary together with the right "intelligence and information." This chapter noted how British soldiers brought with them information and experience of Native suppression from other theatres of war. It showed how the principle of "separating the insurgent from support" was evident in their attack on Rangiaowhia, and that "neutralising the insurgent" was also visible in

the implementation of the Native Land Court system and the establishment of military settlements as part of the "longer term post insurgency planning." This chapter also briefly referred to the importance of the "Clear", "Hold", and "Build" stages in counter-insurgency theory that were evident in the progression of a counter-insurgency campaign in Waikato. The myth of the "hearts and minds" approach was also challenged here as a benign counter-insurgency approach that has often been misinterpreted and poorly applied.

An introduction to the essential principles and theories of modern counter-insurgency is important as this thesis now turns to re-engage with the Waikato invasion and how counter-insurgency applies to it. This chapter provides a foundation for the terminology that will be used throughout this thesis, and the approach followed by the parties involved with the invasion. Chapter Two examines the composition of the Crown and Kīngitanga forces and demonstrates how counter-insurgency concepts shaped the constitution of those forces and their dispositio

Chapter 2: Counter-insurgency and Force Composition

"If wars between civilized nations are far less cruel and destructive than wars between the savages, the reason lies in the social conditions of the states themselves and in their relationships to one another"

- Carl Von Clausewitz, *On War*, 1989.[1]

Carl Von Clausewitz, one of the great military theorists of Europe, saw war as "a continuation of policy by other means" with each combatant's military bearing the stamp of the society that formed it.[2] This chapter asserts that the British and Kīngitanga forces, and their approach to warfare, were in many ways defined by their prior experiences of warfare and existing "social conditions." It examines the composition of both the British and local Māori forces and assesses their "core military aspects" to reveal how they expected to fight during the Waikato invasion. These military aspects, entrenched in counter-insurgency theory are (1) "command", (2) "infantry", (3) "fire-support" (artillery), (4) "intelligence" and (5) "logistics."[3] These aspects dictate the tactical approach taken by a force and demonstrate what is prioritised. "Command" looks at how each force was directed and focuses on each their "cohesion."[4] With the Waikato invasion dominated by "infantry", this chapter examines the different approaches taken in employing infantry, both regular and irregular.[5] The role of "fire-support" in the conflict is also addressed. "Intelligence" scrutinises how the combatants used, or failed to use, intelligence to complement their capability. Likewise, "logistics" explores how each side was limited or enabled by their logistical capacity. Both side's tactical approach in the invasion was shaped by

[1] Carl Von Clausewitz, *On War*, ed. By M. Howard & P. Paret (Princeton NJ: Princeton University Press, 1989), p. 76.
[2] Clausewitz, p. 22.
[3] These aspects are examples of "combined arms" which is widely used in military literature. An example of this literature is; Robert Worley, *Challenges to Train, Organize and Equip the Complete Combined Arms Team: The Joint Task Force* (Alexandria VA: Institute for Defence Analyses, 1998) p. 12.
[4] Jan Feldman, 'Cohesion deconstructed: why alliances fail' (MA thesis, US Army Command and General Staff College, 2018), p. 8.
[5] James Belich, *New Zealand Wars and The Victorian Interpretation of Racial Conflict* (Auckland: Auckland University Press, 2013), p. 126

these factors and will also be examined. Government and Kīngitanga force compositions will be examined separately across the same aspects of the conflict.

This chapter is limited to a basic understanding of these aspects due to the limited scope of this thesis. It is recognised that the titles of these aspects are Western terms and were not used by Māori.[6] Full recognition of how Māori viewed warfare is beyond the scope of this thesis. As stated in the introduction, the focus of this thesis is on the Crown's counter-insurgent approach. This chapter explores Māori and British "compositions" (core military aspects) and whether they reveal a counter-insurgency approach.

Counter-insurgency in British and Crown Command Structure

The Crown's command and control in 1860 Aotearoa New Zealand was complicated by a mire of bureaucracy. George Grey, the key driver behind the 1863 invasion, was heavily restricted by a lack of resources.[7] Crown control passed through the Colonial Office, which meant that while Grey had significant autonomy in New Zealand, acquiring the resources he needed required navigating an often sprawling and entangled 'web" of imperial bureaucracy.[8] British Imperial forces, for instance, were led by the British Army and Royal Navy, which while under Grey's command, were independent organisations.[9] The bureaucratic and legislative process was further complicated by local colonial parliament politics and divisions.[10] Finally, Māori working with the Crown forces also had an independent policy that temporarily

[6] Terence Johanson, Ka Pu Ruha, Ka Hao Te Rangatahi; Changes in Maori Warfare Between The Period Prior to First European Contact and the End of the New Zealand Wars, (MA thesis, U.S. Army Command and General Staff College, 2009), p. 11.
[7] Belich, p. 123.
[8] Tony Ballantyne, *Webs of Empire: Locating New Zealand's Colonial Past* (Toronto; UBC Press, 2012), p. 45
[9] James Cowan, The New Zealand Wars: Volume I (Wellington: Government Printer, 1983), pp. 243-245
[10] Michael Allen, 'An Illusory Power? Metropole, Colony and Land Confiscation in New Zealand, 1863-1865', in *Raupatu: The Confiscation Of Māori Land*, ed. By R. Boast & R. Hill (Wellington: Victoria University Press, 2009), pp. 110-143 (pp. 113-114).

aligned them with the Crown.[11] Grey's force was comprised of five key factions: British Army regiments; a detachment of the Royal Navy, the Colonial Defence Force, a settler militia and aligned Māori.[12] The invading force was therefore a loose coalition of shared interests, rather than a unified force with a coherent goal or political purpose.

Compounding this lack of unity, Grey's approach to the invasion varied wildly and reflected his own dramatic mood swings.[13] While the Crown attempted to ground itself in the 'humanitarian' discourse of the day, this shifted dramatically upon the start of the invasion.[14] As a 'humanitarian' Grey saw the invasion not merely as conquest, but as an opportunity to integrate Māori into the 'civilised' British Empire.[15] Those racist ambitions were not realised, and were reduced to a symbolic raising of the Queen's flag in Ngāruawāhia.[16] Ongoing tension between Duncan Cameron, the commander of the British forces, and Grey did not help the unity of command. Richard Taylor, notes that "they appear to have had a good working relationship between 1861 and 1863" but this changed significantly after the beginning of the invasion.[17] According to Richard Stowers, their conflict reached a peak when Cameron told Grey to "go to hell" midway through the invasion.[18] A veteran of Crimea, Cameron was known for his energetic leadership but cautious strategic approach.[19] The Crown's chaotic integration of foreign (British), colonial and irregular forces

[11] Denise Te Tuhi Ewe, 'Waata Kukutai: Rangatira O Ngaati Tiipa 1822-1867', (MA thesis, University of Waikato, 2019), pp. 1-3.
[12] Ewe, p. 68.; In this thesis Pakeha colonisers are referred to as settlers due to its wider usage such as, Vincent O'Malley, *Great War For New Zealand Waikato 1800-2000* (Auckland: Bridget Williams Books, 2016), p. 450.
[13] Belich, p. 120.
[14] Belich, pp. 123-124.
[15]Susannah Grant, 'God's Governor: George Grey and Racial Amalgamation in New Zealand 1845-1853' (PhD thesis, University of Otago, 2005), p. 4.
[16] Clifford Simons, *Soldiers, Scouts and Spies: A Military History Of The New Zealand Wars 1845-1864* (Auckland: Massey University Press, 2019), p. 237.
[17] Richard Taylor, 'Logistical Operations in the Waikato War 1863-64', *New Zealand Army Military Studies Institute Occasional Papers Series*, 9 (2005). p.5.
[18] Richard Stowers, *Forest Rangers* (Hamilton: Print House, 1992), p. 53.
[19] During the battle at Koheroa in 1863 Cameron led the assault unarmed to inspire his flagging troops, and was recommended the Victoria Cross; Simons, p. 223.

demonstrated the bureaucratic culture of the British Empire.[20] The diverse array of forces were also similar to the composition of forces common in counter-insurgency.[21] The Crown's complex command structure and changes in objective made the invasion of the Waikato a challenging proposition, a proposition made possible by the British Empire's infantry.

Counter-insurgency in Crown Infantry

The infantryman has been the backbone of the modern British Army since its inception in 1650.[22] In 1863 the British infantryman was one of the best trained and equipped soldiers in the world, according to Clifford Simons.[23] Following the end of the Crimean war in 1856 the British army had been engaged in the colonial subjugation and oppression of Indigenous populations various colonies, including Australia and India.[24] In this period, the British infantry developed the Pattern 1853 Enfield percussion cap rifle musket, which had an accurate range of 300 m.[25] This far exceeded the 75 m range of the previous muskets and made the infantryman far more effective at range.[26] British musketry was devastatingly effective, except at close-quarters where slow reload time left the infantry vulnerable.[27] Furthermore, New Zealand's terrain and Māori tactics rendered this centrepiece of infantry's tactical approach almost void.[28]

[20] Ballantyne, p. 165.
[21] Headquarters Department of The Army, p. 144-146
[22] The British Army's oldest continuously serving regiment, The Coldstream Guards was formed under the command of George Monck in 1650. John Ross, *A History of the Coldstream Guards, from 1815 to 1895* (London: A. D. Innes & Co., 1896), p. 478
[23] Simons, p. 13.
[24] Roy Kaushik, *The Army in British India: From Colonial Warfare to Total War 1857-1947* (London: Bloomsbury Publishing, 2014), p. 38.
[25] Simons, p. 37.
[26] Simons, p. 36.
[27] Simons, p. 37.
[28] Taylor, pp. 6-7.

Despite being the spearhead of the Waikato invasion, only ten British infantry regiments were present during the campaign.[29] Supplementing these were the Colonial Defence Force infantry.[30] These units were less well-equipped and trained, but had significant institutional and experiential knowledge regarding New Zealand operations.[31] The Colonial Defence Force created units specialised in reconnaissance, such as the Forest Rangers.[32] Beyond these rare units, the Colonial Defence Force was generally reserved for less intense combat roles.[33] However, it was supported by irregular forces, which were composed of the tenuously aligned 'Kūpapa' Māori who were mainly called upon for logistical support to the invading force.[34] Both provided rear area security, but were not incorporated into any major offensive operations.[35] In describing the different roles of the irregular militia and the British forces, Cliff Simons writes that "imperial regiments were organised to react to incursions as quickly as possible" while "[m]ilitia and volunteer units were formed to protect Auckland and the rural districts."[36] The defensive role of the Colonial Defence Force saw them engaged by Kīngitanga raids early in the invasion.[37] These skirmishes resembled an early-stage insurgency suggesting that Māori were quick to exploit their invader's weakness. The Crown's heavy use of infantry during the Waikato invasion demonstrated that it expected an asymmetric conflict, preferring to rely on infantry due to the unit's versatility against a range of threats. However, the Crown's reliance on infantry did not limit its employment of fire-support.

[29] Taylor, p. 21.
[30] Garry Clayton, 'Defence not Defiance: The Shaping of New Zealand's Volunteer Force', (PhD thesis, University of Waikato, 1990), p. 91.
[31] Clayton, p. 52.
[32] Stowers, p. 6-7.
[33] Clayton, p. 96.
[34] Ron Crosby, *Kūpapa: The Bitter Legacy of Māori Alliances with The* Crown (Auckland: Penguin Random House, 2015), p. 192.
[35] Clayton, p. 97.
[36] Simons, p. 225.
[37] Cowan, p. 275.

Counter-insurgency in Crown Fire-support

During the Waikato invasion, the Crown relied heavily on fire-support provided by Royal Navy gunboats and Royal Artillery batteries employed throughout the invasion.[38] Artillery supported assaults on pā at Meremere, Rangiriri, and Ōrakau. These engagements began with several hours of sustained fire to weaken the fortifications and subdue defenders.[39] Further barrages preceded an infantry assault on the position. These barrages meant that the assaulting Crown forces did not expect strong resistance, but this expectation caused the first assault on Rangiriri to falter when faced with unexpected resistance which compelled the Crown forces to initially retreat.[40] Artillery proved ineffective against the earthen fortifications of pā where even multi-day bombardments failed to produce results.[41] The continued use of artillery demonstrated one of the key weaknesses of the invading force, an over-reliance on fire-support. At Rangiriri this reliance was compounded by a bombardment which lasted a mere two hours.[42]

The short bombardment at Rangiriri was a symptom of a significant challenge to the invading force. Artillery units require substantial logistical support, including large quantities of ammunition and dedicated transport.[43] This problem was further compounded by artillery pieces that also required technical support from Britain.[44] This made the invading force heavily dependent on its extended supply chain beyond the demands of its already large requirement. This dependence did not affect the naval gunboats to the same extent, due to their riverine mobility.[45] But this mobility was confined to the Waikato and Waipa rivers, which limited their usefulness. While

[38] Simons, p. 38.
[39] Simons, p. 233.
[40] Belich, p. 151.
[41] Cowan, p. 327.
[42] Cowan, p. 327.
[43] Belich, p. 162.
[44] Simons, p. 38.
[45] Grant Middlemiss, *The Waikato River Gunboats: New Zealand's First Navy* (Cambridge NZ: Grant Middlemiss, 2014), p. 13.

the fire-support provided by artillery did play a role in the campaign, its logistical impact strained the invasion's progress.[46] The Crown's reliance on fire-support demonstrated how embedded its usage was in the British psyche. The strain caused by the Crown's reliance on fire-support during the Waikato invasion exhibited the importance of logistics.

Counter-insurgency in Crown Logistics

A unit requires ammunition, food, and support services, in vast quantities for it to be effective. In 1860 there were no dedicated logistics units in New Zealand to provide these services.[47] This changed in 1861 with the establishment of two Transport Corp companies which were still insufficient, and thus were increased to six by 1864.[48] The Transport Corp faced the daunting task of projecting a force of over 10,000 men out to one hundred kilometres through swathes of undeveloped bush, swamp, and farmland.[49] The lack of a reliable transport network other than the Waikato River proved especially problematic.[50] To address this transportation issue, work began immediately on the construction of the Great South Road to increase ease of movement into the Waikato.[51]

Due to the difficult terrain, the invading force was unable to rely on capturing supplies to support their advance. Accordingly, everything from food to animal fodder needed to be transported from Auckland or, for more specialised supplies, overseas.[52] To prepare for the invasion large depots were formed at the Queen's Redoubt in Pokeno.[53] Another depot was created at Camerontown, between

[46] Jonathan Bailey, *Field Artillery and Firepower* (Oxford: Military Press, 1989), p. 29.
[47] Thomas Kane, *Military Logistics and Strategic Performance* (London: Routledge, 2001), pp. 7-10.; Taylor, p. 8.
[48] Taylor, p. 13.
[49] O'Malley, p. 222.
[50] Taylor, pp. 6-7.
[51] Taylor, p. 9.
[52] Simons, p. 38.
[53] Ian Barton and Neville Ritchie, *A History of Queen's Redoubt& The Invasion of The Waikato* (Pokeno: Atuanui Press, 2021) p. 151.

Alexandria and the Waikato Heads, shortly after the invasion began to support the advance south.[54] This proved a tempting target for Kīngitanga forces, who launched a raid against it in the early months of the invasion, causing significant disruption.[55] The scale of the logistical support made it vulnerable to ambush and raiding which proved disastrous. John Gorst went so far as to state that "the chief mischief in the present war was not done by the 1000 men who gathered at Meremere to fight the General, but by the small bands of twenty or thirty each."[56] With his supply line dangerously exposed General Cameron was forced to slow his offensive and commit most of his force to protect the fragile logistical support. He wrote to the Secretary of State for War in July 1863 complaining that:

> The Bush is now so infested with natives that I have been obliged to establish strong posts along our line of communication, which absorbs so large a portion of the force that until I receive reinforcements it is impossible for me to advance further into the Waikato.[57]

The Crown's approach to logistics demonstrated that it had not expected the Kīngitanga to use insurgent tactics against its vulnerable supply lines. This was another example of the Crown's assumption of its own superiority prior to the invasion. Their surprise at the attacks by the Kīngitanga also reflected the Crown's limited intelligence capability.

Counter-insurgency in Crown Intelligence

The British Army had a bad relationship with military intelligence.[58] For much of its history British forces were totally lacking in dedicated intelligence capabilities.[59]

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[54] Belich, p. 136.
[55] Taylor, p. 12.
[56] John Gorst, *The Maori King: or the Story of our Quarrel with The Natives of New Zealand* (Tonbridge, Tonbridge Printers, 1959), p. 403.
[57] Taylor, p. 12.
[58] Simons, p. 13.
[59] Simons, p. 52.

British forces, especially infantry regiments, lacked a diverse command staff capable of conducting specialised roles like intelligence.[60] Clifford Simons has argued that the British reconnaissance effort was often conducted by Royal Engineers who were not formally trained for such tasks.[61] Instead, British forces endured embarrassing skirmishes before creating dedicated reconnaissance and intelligence capabilities.[62] The Waikato Invasion followed this trend. In preparation for the conflict government intelligence was heavily dependent on a small number of volunteers. These were often merchants, farmers, or missionaries, who interacted already with local iwi or Māori and were willing to provide information.[63] The lack of a dedicated intelligence capability reflects what Belich notes was the racist culture of the Crown forces, which presumed that their success arose from their innate "superiority."[64]

Another key form of intelligence gathering is reconnaissance, which was often undertaken by the colonial Forest Rangers. These were the most famous of the reconnaissance units in the Waikato invasion, but were not a new concept in British military history. According to Richard Stowers, the introduction of "ranger" reconnaissance units in the British Empire occurred during the Seven Years' War of 1756-1763, a hundred years before the Waikato invasion.[65] In the opening months of the Waikato invasion, the Rangers provided tactical reconnaissance, leading the Crown's advance. Their comparative independence allowed them to locate Kīngitanga forces far in advance of the main body which proved invaluable intelligence. The creation of a reconnaissance unit like the Forest Rangers demonstrated that while the Crown had believed itself superior to the Kīngitanga, it recognised that it needed to adapt. But the limited size of the Forest Rangers, two

[60] Simons, p. 48.; The British General Staff would not create an Intelligence Branch at even the strategic level until 1873; David French and Brian Holden-Reid, *British General Staff: Reform and Innovation C. 1890-1939* (New York NY: Routledge, 2002), p. 9.
[61] Simons, p. 49.
[62] Simons, pp. 54-64.
[63] Simons, p. 54.
[64] Belich, p. 156.
[65] Richard Stowers, p. 1.

companies at its peak, and rapid disbandment in 1864 reflected perhaps the Crown's culture of bureaucratic inertia.[66] This inertia is seen in the Crown's tactical approach to the Waikato invasion where it struggled to adapt its counter-insurgency tactics to the campaign it was fighting.

Counter-insurgency in the Crown's Tactical Approach

The Crown's invasion of the Waikato demonstrated a counter-insurgency approach that was dogged by a desire for conventional engagement. The counter-insurgency approach saw an intense period of "bush fighting."[67] According to James Alexander, a British officer in the Waikato invasion, bush fighting is "a comprehensive term for warfare conducted in forests, in broken ground, and on the hillside."[68] Unlike conventional operations, the bush fighter's attitude was "not a dignified one."[69] Much like intelligence, "bush fighting" diverged from conventional British doctrine and had to be introduced by enterprising officers like Alexander.[70] The employment of "bush fighting" and the local defence provided by the colonial militia speaks to the considerable difficulty that Kīngitanga insurgent tactics posed to the invasion.[71] The British response to the Kīngitanga insurgency was defensive, and led to clearing patrols deployed along supply-lines and forward depots more heavily guarded.[72] In addition to these defensive measures, British controlled newspapers, as Belich illustrates, contrived "paper victories" to allay Pākehā fears and maintain ongoing public support for the campaign.[73] This was especially important with settlers anxious about reprisals, their immediate safety, and a potentially protracted and bloody campaign. Despite this counter-insurgent approach, the Crown remained focused on

[66] Belich, p. 140.
[67] Johanson, p. 27.
[68] James Alexander, *Bush Fighting* (London: Low and Searle, 1873), p. 1.
[69] Alexander, p. 2.
[70] Alexander, p. 9.
[71] Cowan, p. 265.
[72] Taylor, p. 12.
[73] Belich, p. 82.

a decisive engagement.[74] British assaults on Kīngitanga positions at Meremere and Rangiriri were symptomatic of this desire and demonstrated the Crown's innate unease in applying counter-insurgency. Fortunately, for the invaders, the Kīngitanga limited its insurgency and adopted a more conventional approach as the war progressed.

Insurgency in the Kīngitanga Command Structure

Traditional Māori approaches to command were well suited to insurgent warfare. The decentralised tribal structure based on hapū and whakapapa alliances allowed commanders to operate independently and effectively within the bounds of those relationships.[75] However, the Kīngitanga suffered from a lack of force cohesion. This was reflected in the Kīngitanga command structure. While the Kīngitanga was led by King Tāwhiao through the Crown's invasion, its military and tactical leadership often came from existing Waikato hāpu and iwi leaders, some veterans of Musket Wars.[76] Vincent O'Malley notes that while the British invading force had a coherent command structure "a consensus cannot be discerned for the Kīngitanga."[77] In his 2009 thesis, Terry Johanson comments on Māori command structure, arguing that this:

> [P]arallel command structure simplified the coordination of the expedition for the primary chief however; it led to a fragility of the force's cohesion, as hapū would pursue actions that most benefited their personal interests regardless of their part in the overall plan.[78]

This fragility of cohesion meant that even though the Kīngitanga had skilled tacticians such as Rewi Maniapoto, its structure hobbled their capability.[79] Johanson also noted

[74] Johanson, p. 76.
[75] Johanson, p. 9.
[76] Johanson, p. 19.
[77] O'Malley, p. 223.
[78] Johanson, p. 19.
[79] Johanson, p. 76.

that Māori preferred "to employ tactics that were best executed by small forces under the control of a single commander such as the ambush or *takiri*, a mock retreat."[80] These small-unit insurgent tactics were ideally suited to the decentralised Kīngitanga command structure, seen in its successful raids in the opening months of the invasion.[81] However, the lack of cohesion did not dictate that the units would, or would not, benefit from coordination. O'Malley argues that "even if the Kīngitanga army did not march under a centralised command structure, the nature of the force had evolved significantly from the large taua of the pre-treaty era."[82] The significant military presence of the Kīngitanga at Rangiriri was an example of this.[83] However, their lack of cohesion also limited large-scale actions with sometimes severe consequences. The supposed "last stand" of Rewi Maniapoto at Ōrakau, for instance, occurred because despite his warnings that it was a poor defensive position, other iwi leaders insisted they stay and fight.[84] From a Western tactical approach and the perspective of Rewi, the decision-making process was deeply flawed.[85] The cohesion of the Kīngitanga command structure at Ōrakau, from a counter-insurgency perspective, was limited by Māori command structure, which arose out of their already established leadership roles based on genealogical descent and connection. However, this lack of cohesion allowed the Kīngitanga to also effectively apply an insurgent approach to defend against the invasion.

Insurgency in the Kīngitanga Infantry

From a western perspective, the Kīngitanga "infantryman" was an excellent partisan and insurgent. In 1759, De Jeney stated that a partisan needed a fertile imagination

[80] Johanson, p. 25.
[81] Taylor, p. 13.
[82] O'Malley, p. 225.
[83] Belich, p. 133.
[84] Rewi Maniapoto considered Orakau "too exposed" but was persuaded to fight by other Rangatira; Johanson, p. 77.
[85] Johanson, p. 93

for ruses, "shrewd intelligence" and a "fearless heart."[86] While the notion of the Māori "warrior" and "warlike" culture is a deeply racist coloniser fantasy, Kīngitanga forces were still regarded with significant martial skill and prowess during the invasion.[87] Kīngitanga fighters were certainly imaginative in the Jeney's sense of the word, particularly in their innovative counter-insurgency approach.[88] The Kīngitanga defender was generally outgunned and had to divide their commitment between full time military service in protecting their homelands and sustaining its economy and feeding their whānau.[89] This severely restricted the duration that Kīngitanga forces could be deployed. These limitations, along with the Kīngitanga command structure were well suited to mobile insurgent raids.[90] These tactics predated European arrival and leveraged the weaknesses of the Waikato into an effective insurgent approach. The use of raids, such as the Camerontown attack on the 7th of September 1863, showed how effective a highly mobile and fearless insurgent force could be in slowing the invasion.[91] Kīngitanga defenders inherited centuries of deeply embedded cultural rituals, practices, and tactics, and were imaginative and "shrewd" in their defensive strategies.[92] This imagination was further shown in the Kīngitanga defence against the Crown's artillery.

Insurgency in the Kīngitanga Fire-support

The Kīngitanga did not employ artillery for fire-support like their invaders, but instead used defensive pā to counter the Crown's bombardments.[93] The pā had a long

[86] De Jeney, 'Some Qualities Required of a Partisan', in *The Guerrilla Reader*, ed. By W. Laqueur (New York NY: Meridian Printing, 1977), p. 19.
[87] Michaela Moura-Kocoglu, 'From Noble Savage to Brave New Warrior? - Constructions of a Maori Tradition of Warfare', *Cross/ Cultures,* 145 (2012), p. 371.
[88] De Jeney, p. 19.
[89] Kīngitanga were largely equipped with Unrifled muskets and shotguns. These limited the average effective range to under 100 metres versus the British rifled musket's 300 metres, a serious disadvantage except in close-quarters engagements Simons p. 36.
[90] Johanson, p. 20.
[91] Cowan, p. 263.
[92] De Jeney, p. 15.
[93] Nigel Prickett, *Fortifications of the New Zealand Wars* (Wellington, Department of Conversation, 2016), p. 4.

history as a central part of Māori strategy in New Zealand and was prominent in their understanding of warfare.[94] The lack of artillery removed its heavy logistical demands and granted the Kīngitanga greater mobility than the Crown.[95] However, the construction of "modern pā" led to the interweaving of traditional Māori warfare with ballistic protection.[96] Large earthworks such as those at Meremere, Rangiriri, and Paterangi, provided excellent protection with the thick earthen embankments able to absorb the force of artillery impacts and allow the defenders to weather heavy bombardment.[97] The Crown had encountered these new fortified pā systems in 1845 during their pursuit of Tāmati Wāka Nene in the Northern Wars. They discovered carefully dug trenches combined with traditional pā design that enabled protection from small arms fire.[98] Deep trenches and shelters allowed troops to shelter in place during a bombardment while allowing them to remain in position to repel attacks.[99] The well-fortified pā forced the Crown to engage with artillery, and further strained its logistics. The pā also allowed the Kīngitanga to dictate where British forces engaged them, seizing the initiative evident in battles like Rangiriri.[100] The modern pā continued traditional Māori warfare while allowing the Kīngitanga to blunt the Crown's advantages. However, the invasion's impact on the Waikato economy could not be blunted.

Insurgency in the Kīngitanga Logistics

The Waikato economy was based on agriculture. The Māori economy had been agricultural prior to European contact, but had intensified to support and benefit from

[94] Johanson, p. 10.
[95] Simons, p. 52.
[96] Johanson, p. 66.
[97] Belich, p. 143.
[98] Johanson, pp. 65-66.
[99] Belich, p. 143.
[100] Michael Belgrave, *Dancing With The King: The Rise and Fall of the King Country, 1864-1885* (Auckland: Auckland University Press, 2017), p. 12.

the Pākehā population.[101] But the dependence of the Waikato on agriculture was a liability in a conflict. As a non-industrialised agrarian economy, the Waikato lacked a war economy and was unable to produce its own ammunition or weapons at scale.[102] This left the Kīngitanga reliant on importing most of its war materials of varying quality, which also limited their effectiveness.[103] The limitation of supply, was well suited to insurgent raids, given the limited resources required to mount such operations.[104] The Waikato agricultural economy was limited and resource intensive, however, the Crown had the ability to indefinitely rely on a cumbersome supply-chain. The Kīngitanga were unable to field their force for as long as the Crown due to their agricultural commitments. Transportation of supplies also proved a handicap.[105] With a limited labour pool, the Kīngitanga did not have the ability to transport supplies long distances at scale. This lack of transportation tied defensive positions such as Meremere to nearby food sources, limiting options when choosing defensive sites.[106] The limitation on supply prevented the Kīngitanga from launching any large-scale offensive operations against the invaders, forcing them to resort to insurgent tactics to slow the invader's advance.[107] As the invasion progressed, logistics forced the hand of the Kīngitanga and they were required to defend agricultural locations such as Rangiaowhia, which were vital to their economy's survival.[108] This also led to the abandoning of their mobile insurgency, a retreat to defensive positions such as Paterangi to protect against further British invasion.[109] The traditional agricultural economy of the Waikato, albeit heavily commercialised by 1863, left it desperately

[101] Peter Allen, 'Military Settlement in The Middle Waikato Basin', (MPhil, University of Waikato, 1969), p. 18.
[102] O'Malley, pp. 226-227.
[103] Simons, p. 38.
[104] Moshe Kress, *Operational Logistics: The Art and Science of Sustaining Military Operations*, (London: Springer International Publishing, 2016), pp. 129-131.
[105] Allen, p. 19.
[106] Taylor, pp. 11-12.
[107] Belich, p. 162.
[108] Belich, p. 122.
[109] Belich, p. 160.

short of manpower and war materials, these limitations contributed to the insurgent defences of the Waikato by the Kīngitanga.

Insurgency in the Kīngitanga Tactical Approach

The adoption of insurgent tactics by the Kīngitanga was due to a confluence of culture and necessity. Asymmetric warfare such as that found in an insurgency was not a new concept for Māori. "Pre-contact Maori", as Terry Johanson argues, "utilised military deception to maintain surprise", and this same tactic can be seen in the ambushes and raids by the Kīngitanga after European arrivals and invasion.[110] In *Bush Fighting*, James Alexander describes various engagements during the invasion that encapsulated the approach.[111] In each event the force was attacked by a small party in the bush, received casualties and called for reinforcements, by which time the Kīngitanga force had "retired into the dense bush" where it could not be pursued.[112] The impact of these attacks harried the Crown's advance and led to increased security, which drastically drained its manpower.[113]

Māori tactics, despite their pre-European origin, were devastating. It was these insurgent raids and ambushes that allowed the Kīngitanga to leverage its decentralised command structure and logistical limitations into an advantage. Later strategists like Te Kooti continued to demonstrate the approach's viability, with his force fighting the Crown for four years from 1868 to 1872 despite having a significantly smaller force than the Kīngitanga.[114] Unfortunately, the logistical requirements of the Kīngitanga force necessitated it limiting this successful strategy to protect its agricultural commitments.[115] Although the Kīngitanga was able to force the Crown to

[110] Johanson, p. 26.
[111] Alexander, pp. 64-90.
[112] Alexander, p. 59.
[113] O'Malley, pp. 233-236.
[114] Belich, p. 287.
[115] Baylee Smith, 'Fantastic Pa and Where to Find Them: A Spatial Analysis of the pre-European Pā of Aotearoa', (MA thesis, University of Otago, 2017), p. 73.

engage at sites more suitable to them, like Rangiriri, they lacked the manpower and necessary terrain to maintain that defensive position, and ultimately ceded the tactical advantage to the invading force.[116] The tactical approach of the Kīngitanga to the Waikato invasion combined traditional strategies with logistical demands in an approach that could easily be thought of as insurgent in modern British military terms.

Summary

Carl Von Clausewitz's notion that militaries bear the stamp of their "social conditions" and previous histories has significant resonance to the 1863 invasion of the Waikato. Indeed, the overtly racist "civilized" and "savages" binary he premised is exactly the discourse James Belich and many others have observed in their histories of the New Zealand Wars. This chapter agrees that the British and Kīngitanga forces and their approach to warfare were in many ways defined by their prior experiences of warfare and existing "social conditions." It examined how institutional culture and operational requirements, such as logistics, shaped Crown and Kīngitanga forces. These were referred to as "core military aspects" such as "command structure", "infantry", "fire-support", "logistics" and "tactics."

Command structure addressed how the Crown and Kīngitanga forces were led, and looked at the differences between their approaches. The British invading force, as this chapter argued, often operated as a loose coalition of shared interests rather than a unified power with a coherent goal or political purpose (the mire of imperial bureaucracy that made command difficult is addressed elsewhere in this thesis). Similarly, the cohesion of the Kīngitanga command structure at Ōrakau, from an insurgency perspective, was limited by Māori structure established in intergenerational leadership roles based in genealogical descent and connection. The Crown's heavy use of infantry during the Waikato invasion demonstrated that it

[116] Johanson, p. 75.

expected an asymmetric conflict, preferring to rely on infantry due to the unit's versatility against a range of threats. The British infantry were trained for conventional conflicts, while the Kīngitanga capitalised on an insurgent approach that incorporated imaginative and "shrewd" defensive strategies.

The British reliance on fire-support demonstrated how embedded its usage was in their traditional warfare psyche, and while the Kīngitanga did not employ artillery for fire-support like the invaders, they instead used defensive pā to counter the Crown's bombardments. Both were drawing on their own previous military experiences and history. The Crown had not expected the Kīngitanga to use insurgent tactics against its vulnerable supply lines, a reflection of the inherent belief in its own superiority brought into the War and many others before it. As the violence dragged on the Kīngitanga was forced to consider its logistics as well, and economic welfare and survival. This also led to an abandoning of their mobile insurgency, and a retreat to defensive positions.

A lack of emphasis on gathered intelligence, as this chapter pointed out, caused significant setbacks for the British. The establishment of the Forest Rangers to address that issue were a contemporary 1863 take on previous British reconnaissance units that operated a hundred years before the Waikato invasion. The tactical approach of each side showed how "bush fighting" suited the use of asymmetric insurgent tactics by the Kīngitanga. Limited knowledge of terrain (cultural and physical), caused considerable difficulties for the invading British. It was these "core military factors" inherited from previous experience and their internal "social conditionings" that helped shape both forces, their infantry, tactics, and command, over the course of the Waikato invasion.

Chapter 3: Counter-insurgency and Legitimising Colonial Invasion

The crossing of the Mangatāwhiri Stream on the 12th of July 1863 was the culmination of a deliberate British plan to take Māori land, suppress the Indigenous inhabitants, and enforce through violence their claims to power.[1] From a counter-insurgency tactical perspective, it was always imperative for the British to present themselves, not as invaders but as the legitimate governing power. British counter-insurgency, then, required a carefully orchestrated "othering" of Māori as insurgents or "rebels" and therefore a threat to civility and order.[2] This chapter examines how the violent assertion of British sovereignty in 1863 was part of a continued counter-insurgency approach in New Zealand intended to legitimise British governing power.[3] The invasion of the Waikato was not, as this study argues, a reaction to the threat of Māori violence or rebellion, but an orchestrated continuation of the assertion of British sovereignty in Aotearoa New Zealand since the signing of Te Tiriti o Waitangi in 1840.

In the two decades leading up to the Waikato invasion, the British stumbled through two largely unsuccessful campaigns: one a failed pursuit of Hone Heke in Te Taitokerau, and the other an unconvincing series of frustrating engagements with Taranaki Iwi. This chapter provides a selective and brief overview of the historical background and context of the Waikato invasion, with specific attention given to the political and cultural evolution of the Kīngitanga, the importance of events in Taranaki, the impact of the 1860 hui at Kohimarama, and the significance of contemporary legislation and the Māori Land Courts. In setting the scene for the chapters that follow, it explores how the British assertion of itself as the legitimate governing power during the invasion of the Waikato was a deliberate tactic bearing

[1] Governor Grey demonstrated an intent to suppress Māori and acquire their land as early as 1846; Ranginui Walker, *Ka Whawhai Tonu Matou: Struggle Without End* (Sydney: Griffin Press, 2004), p.107.
[2] Olga Baysha, Dehumanizing Political Others: A Discursive-material Perspective, *Critical Discourse Studies*, 17.3 (2020), p. 304.
[3] Richard Taylor, *British Logistics In The New Zealand Wars, 1845-66* (PhD thesis, Massey University, 2004).

similarities to present-day counter-insurgency strategy and theory. It considers various examples of British attempts to assert their legitimacy using specific legislation, such as the Suppression of Rebellion Act 1863, and the attempt to strengthen local alliances at Kohimarama.[4] It also offers a cursory examination of the Kīngitanga movement, its political structure and its purpose, but the chapter begins with an examination of the Waikato's terrain.

The Terrain and Strategic Value of the Waikato Region

Terrain shapes the nature of conflicts such as counter-insurgencies.[5] The Waikato region in the 1860s was notably different from its current terrain. Large swathes of the region were covered in dense forest or mired in flax swamp. The peat-rich soil of the Waikato and its swamps, while an engineer's nightmare in creating transport infrastructure, had proven a horticulturalist's dream.[6] The well protected inland climate, moderate temperatures and high rainfall further added to the region's impressive agricultural capability.[7] With its agricultural capacity, and vicinity to Auckland, the Waikato region and its iwi became vital to the city's growth. But the landscape that made the Waikato the agricultural lifeblood of Auckland was difficult for potential invaders to traverse due to the swamp and forest terrain.[8]

Land transportation issues were circumvented by the presence of the Waikato and Waipa rivers. The Waikato, broad and swift, provided a highly efficient mode of

[4] Claudia Orange, "The Covenant of Kohimarama: A Ratification of the Treaty of Waitangi", *New Zealand Journal of History*, 14:1, (1980), pp. 61-82. George Grey, "Notification To The Chiefs Of The Waikato", *New Zealand Gazette*, 15 July 1863, pp. 277-278.

[5] Gaston Gordillo, "Terrain as insurgent weapon: An Affective Geometry of Warfare in the Mountains of Afghanistan", *Political Geography*, 64, (2018), pp. 53-54.

[6] Taylor, p. 6.

[7] O'Malley, p. 51.

[8] Taylor, p. 6. James Alexander, an officer during the invasion, described the New Zealand bush as "wonderfully dense and entangled", and that a "European going into it about twenty yard and turning round three times is quite at a loss to find his way out again." James Alexander, *Bush Fighting* (London: Low and Searle 1873), p. 59.

transportation, but left invading forces vulnerable.[9] Kīngitanga positions such as those at Meremere and Rangiriri threatened the invader's advance along the river and prevented vital riverine logistical support.[10] The use of the Waikato River led to two of the most pivotal engagements of the invasion at Rangiriri and Meremere and demonstrated that the Kīngitanga were keenly aware of the river's strategic importance.[11] The Waikato plains were bound in every direction by rugged terrain, Pirongia to the west, Hakarimata to the north and the Kaimai ranges to the east. Unsurprisingly, the invading forces did not advance into these areas. Following the invasion's conclusion, the Kīngitanga withdrew from the central Waikato to the south.[12] The Waikato's topography was well-suited to an insurgent defence against an invasion that had been in the planning for years.

The Challenge of Kīngitanga to British Legitimacy

European settlement in New Zealand accelerated rapidly following the signing of Te Tiriti in 1840, which put significant pressure on land available for settlement.[13] Disputes over the purchase of land led to serious conflict and a reluctance by Māori to sell. Frustrated colonists, land speculators, and colonial officials, keen to acquire property criticised Māori for their "landlordism" and "communism". They especially criticised the Kīngitanga, which began as a rallying point in 1858 for Māori to resist the wholesale purchase of land by unscrupulous land agents.[14] The settlers' voracious appetite for land led to large-scale loss of Māori land ownership, with the sales often heavily undervalued.[15] Crown land agent purchases that subdivided and sold Māori

[9] The efficiency of riverine mobility was mitigated by the vulnerability of the flank as the misty banks offered ample opportunity for ambush. Taylor, p. 13.
[10] Taylor, p. 12.
[11] Simon Dench, 'Imaging and Imagining the Waikato: A Spatial History c. 1800- c. 1914', (PhD thesis, University of Waikato, 2018), pp. 186-187.
[12] Des Kahotea, "Rebel Discourses: Colonial Violence, Pai Marire Resistance and Land Allocation at Tauranga", (PhD thesis, University of Waikato 2005), p. 109.
[13] O'Malley, p. 92.
[14] Keith Sinclair, *Origins of the Maori Wars* (Auckland: Auckland University Press, 2013), p. 62.
[15] O'Malley, p. 93.

land at significantly inflated prices economically disadvantaged Māori, who in response created a pact in 1854 to limit sales to the Crown.[16]

The Ngāti Haua "peacemaker" and "Kingmaker", Wiremu Tāmihana Tarapipipi Te Waharoa, among others, also advocated for a united Māori movement and approached several respected Rangatira to take on the leadership role of King.[17] After much convincing, the aged veteran of the Musket Wars, Pōtatau Te Wherowhero, was crowned on the 14th of July 1857.[18] Despite accusations that the Kīngitanga harboured rebellious intentions, the King movement was intended to unite Māori, but not at the expense of cordial relations with settlers.[19] Tāmihana repeatedly wrote to Governor Grey throughout the invasion explicitly expressing the desire of the Kīngitanga for peaceful negotiations and co-governance.[20] Similarly, Honana Te Maioha highlighted the intent of the Kīngitanga to "form a bond amongst all the tribes of New Zealand" to establish a "land league" to halt "reckless" land loss, and prevent "fighting and bloodshed."[21] None of these motives threatened the lives of Pākehā settlers, but a united Māori presence or monarchy demanding official recognition to co-govern alongside the British Crown severely disrupted the colonisers' plans to assimilate Māori and take control of the colony's resources.[22]

The formation of a land league also presented a threat to the expansion of the colony, which relied on cheap and plentiful land being available to accommodate the increasing number of British migrants.[23] Native Secretary, Donald McLean was

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[16] Sinclair, p. 242.
[17] O'Malley, p.78.; Evelyn Stokes, "Te Waharoa, Wiremu Tamihana", *Dictionary of New Zealand Biography: 1769-1869,* ed. by W. Oliver (Wellington: Allen & Unwin, 1990), pp. 586-587
[18] See Vincent O'Malley, "Kīngitanga and Crown: New Zealand's Māori King movement and its relationship with the British monarchy", in *Crowns and colonies: European monarchies and overseas empires*, edited by Robert Aldrich and Cindy McCreery (Manchester: Manchester University Press, 2016), pp.163-176. Sir Robert Mahuta, *Te Kīngitanga : the people of the Māori King Movement* (Auckland: Auckland University Press, 1996)
[19] "The King on his piece; the Queen in her piece; God over both; and love binding them to each other." O'Malley, p. 86.
[20] Evelyn Stokes, pp. 586-587.
[21] O'Malley, pp. 87-88.
[22] Sinclair, p. 415.
[23] James Belich, *Replenishing the Earth: The Settler Revolution and the Rise of the Angloworld* (Oxford: Oxford University Press, 2009), p. 84.

dismissive in his assessment of the Kīngitanga, who he described as "ambitious chiefs" vying for "personal power" and whose "petty jealousies" would ultimately prevent the movement from "flourishing."[24] McLean's prophecy proved short-sighted, especially once Tāwhiao was crowned as his father's successor in 1860, ensuring the continuation of the movement.[25] Even after the invasion of 1863, and the retreat of Tawhio into Te Rohe Potae (King Country), the Kīngitanga continued and is still the leading Māori force in the Waikato today.[26] In the same era, the Pai Mārire or and "Hauhau" religious movements also called for peaceful unity in the face of Crown aggression.[27] Māori religious movements in the nineteenth century were part of the politics of colonial resistance, so reflected both passive philosophies, like those at Parihaka in 1881, and other more aggressive approaches, seen in Ringatu and what some called the "Hauhau" movements.[28] The Crown positioned these groups as "fanatics", but the Kīngitanga was a serious threat to the Crown's claims to undisputed outright legitimate sovereign authority.

Growing "Insurgency", The Waitara Purchase, Taranaki Conflicts, and Kīngitanga

The formation of the Kīngitanga in 1858 was intricately connected to the situation in Taranaki and other unscrupulous land sales that were part of the Crown's aggressive expansion policy.[29] Talk of a potential purchase at Waitara had begun with the New Zealand Company's fanciful claims of purchasing vast swathes of the Taranaki region.[30] The purchase was made with many of the owners absent due to conflict in

[24] O'Malley, p. 83.
[25] O'Malley, p. 167.
[26] Walker, pp. 125-126.
[27] O'Malley, p. 87.
[28] These movements and the way they have been perceived is discussed in a range of scholarship. Some engaging examples include Rachel Buchanan, *Ko Taranaki Te Maunga* (Wellington: Bridget Williams Books, 2018); Paul Clark, Hauhau (Auckland University Press, 2013); Hirini Kaa, *The Prophets*, directed by Tainui Stephens, Seven Part Series (Scottie Productions, 2013).
[29] Danny Keenan, *Wars Without End, Ngā Oakanga Whenua o Mua* (Auckland, Penguin, 2021), pp. 154-155.
[30] O'Malley, p. 100.

the region, thus the New Zealand Company recanted under pressure from the Crown to revise its claim.[31] The purchase was of significant government interest.[32]

The British interest in acquiring the Waitara began well before the 1860s. In February of 1847 Governor Grey informed Te Āti Awa Chief Wiremu Kingi that unless the local iwi sold the Waitara region to the Crown, then the Crown would recognise that Waikato tribes had invaded the region and seized the territory from Te Āti Awa and thus were the owners of the contested territory.[33] Grey's message was a clear indicator that the Crown was looking at expanding the colony and was not overly concerned with the legality of how that was achieved.[34] Quiet, however, returned to the islands and no action was taken in pursuit of the Waitara purchase, until August 1854, when Rawiri Waiaua and his supporters offered the Waitara to the Crown despite the land's title being heavily contested.[35] The sale was blocked by Wiremu Kingi and others.[36] Despite further attempts, no sale of the Waitara was attempted until Te Teira began overtures to sell to the Crown in 1859.[37] By then, the Crown's position on Taranaki was influenced by rapid settlement expansion and a lack of available land.[38]

Like Rawiri Waiaua, Te Teira Mānuka did not possess sole ownership of the Waitara, but was part of a collective that included Wiremu Kingi Te Rangitāke. Influenced by settlers in New Plymouth, Te Teira and the Gore Browne government chose to ignore Wiremu Kingi's refusal to sell, and ordered surveying to begin on the 25th of January 1860.[39] Despite passive resistance from Te Āti Awa under the leadership of Kingi, the Waitara purchase was made four days later, some thirteen

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[31] Danny Keenan, "The 'New Zealand Wars' or 'Land Wars'?: The Case of the War in Taranaki 1860-61", *Journal of New Zealand Studies*, 1, (2002), p.105
[32] Sinclair, p. 195.
[33] O'Malley, p. 105.
[34] Sinclair, pp. 283-285.
[35] O'Malley, p. 106.
[36] These actions led the Crown to consider Kingi a troublemaker. O'Malley, p. 106.
[37] O'Malley, p. 107.
[38] O'Malley, p. 110.
[39] Keenan, p. 153.

years after Grey's letter. Grey had to assert that the Waitara purchase was valid, to ensure that the legitimacy of the Crown's land purchases was not undermined.

The British coloniser government treated the Waitara purchase as uncontested, yet deployed 400 troops to the region on the 5th of March on the HMS Niger.[40] In response, a series of pā were constructed by the forces of Wiremu Kingi to obstruct the survey, along with the removal of survey equipment.[41] Crown forces reacted by attacking the pā at Te Kohia on March 17th.[42] Following this, rumours of an alliance between the forces of Te Rangitāke and the Kīngitanga turned the colonial government's attention to the Waikato.[43] Although there were no engagements between the Kīngitanga and Government forces, statements of support from Kīngitanga chiefs threatened the Crown enough to consider them a clear and present danger to their colonial ambitions.[44] On June 27th 1860 British forces attempted to assault Puketakauere and Onukukaitara pā, but were ambushed and compelled to retreat rapidly with casualties.[45] This embarrassment turned the Crown's gaze to the Kīngitanga, and the potential threat it posed to British power and legitimate governance.[46] Faced with a threat to the Crown's authority, Governor Gore-Browne attempted to gain and reaffirm legitimacy and support from Māori in a gathering at Kohimārama, Auckland, in 1860.

Search for Legitimacy: Positioning "Insurgents" at Kohimarama

To repair Crown-Māori relations and allay fears of a wider conflict, Gore Browne called a conference at the Kohimārama mission in 1860.[47] What had begun as a land

[40] Keenan, p. 154.
[41] O'Malley, p. 112.
[42] Te Kohia was the opening shots of what became the First Taranaki War of 1860-61. O'Malley, p. 113.
[43] While there was scant evidence of a dedicated deployment to the conflict, it is clear that the Kīngitanga supported the grievance of Kingi over the Waitara purchase and were involved to some extent. O'Malley, p. 116.
[44] O'Malley, p. 117.
[45] Paterson, p. 29.
[46] Gilbert Wood, p. 143.
[47] O'Malley, p. 125.

purchase dispute now threatened the entire Taranaki region.[48] Gore Browne's intent was to curtail support for Wiremu Kingi, create his own coalition of supportive chiefs to offset the rise of the Kīngitanga, and disrupt the political momentum the movement had gained.[49] His audience at Kohimārama included notable Kīngitanga figures like Wiremu Tamihana, but there were many Rangatira who refused to attend.[50] Lachy Paterson writes that the "kawenata" (covenant) at Kohimārama was not simply a "renewal" of a shared commitment to Te Tiriti, but the government's attempt to gain Māori acquiescence of its policies, and to publicize this to a wider Māori and Pākehā audience" through its newspaper, Te Karere Māori.[51] Accordingly, Gore-Browne's audience for his opening speech on the 10th of July 1860 was artificially supportive.[52] In his speech to those assembled, Gore Browne described the Kīngitanga as "men completely ignorant of the evils they would bring upon the while Native Race" and a threat to the wellbeing of all in New Zealand.[53] The Crown sought support at Kohimarama to legitimise their ongoing colonial ambitions while delegitimising the Kīngitanga. The conference at Kohimarama was part of a comprehensive attempt to secure the Crown legitimacy. In 1863 this claim of legitimacy was further asserted through legislation.

Legislation 1863: Counter-insurgency and Legitimacy

To legitimise their invasion of the Waikato, the Crown passed the New Zealand Settlements Act and the Suppression of Rebellion Act on 3rd of December 1863.[54] This

[48] Orange, p. 63.
[49] Gore Browne, Minutes of Proceedings of the Kohimarama Conference of Native Chiefs, in *Appendix to the Journals of the House or Representatives, 1860 Session I, E-09*, (1860), p. 1. Orange, pp. 65-66.
[50] Tamihana, along with what was virtually the entirety of the Kīngitanga movement, refused to attend Kohimarama. O'Malley, p. 125.
[51] Lachy Paterson, "The Kohimārama Conference of 1860: A Contextual Reading", *Journal of New Zealand Studies*, 12 (2012), pp. 29-30.
[52] O'Malley, p. 126.
[53] Gore Browne, p. 4.
[54] New Zealand Settlements Act 1863 (27 Vict No.27, 3 December 1863). Suppression of Rebellion Act 1863 (27 Vict No.7, 3 December 1863).

invested in themselves powers to seize property and detain suspected "rebels." In doing so, the British Crown breached its 1840 Treaty of Waitangi agreements, and did not formally acknowledge or address the illegality of their actions until the late twentieth century.[55] The Suppression of Rebellion Act 1863 was applied broadly and allowed Crown forces to "take the most vigorous and effectual measures for suppressing … Rebellion in any part of this Colony."[56] On its voyage through parliament, the Suppression of Rebellion Act was criticised for its violation of Māori rights. Even Frederick Whitaker, an "arrantly ethnocentric" Pākehā coloniser, opined that "if any Act was repugnant to the law of England it was surely an Act which purported to take away from the subjects of Her Majesty almost the only safeguard of their liberties."[57] But despite these remarks, Whitaker remained committed to "civilisation and progress" and believed that "settlers must have easier access to Māori lands" and that "war against Māori 'rebels' must be ruthlessly prosecuted" and there must also be "large confiscations of land."[58]

In supporting the Crown's aim to suppress the Kīngitanga, The Settlements Act of 1863 called for the seizure of Māori land under the pretence of securing the Waikato region.[59] But land alienation as a colonial punishment was a sore point for some, including Sir William Martin, who lamented that the lessons learnt in "Northern Ireland may satisfy us how little is to be effected towards the quieting of the country by confiscation of private land … how the brooding sense of wrong breaks out from time to time in fresh disturbance and crime."[60] The British approach in Aotearoa, as

[55] Te Tiriti o Waitangi, 1840.
[56] Suppression Of Rebellion Act 1863, p. 16.
[57] Frederick Whitaker, *New Zealand Parliamentary Debates Third Parliament Legislative Council And House o Representatives: 1861 To 1863*, ed. by M. Fitzgerald (Wellington: Government Printer, 1886), p.858. The New Zealand Settlements Act was further amended in 1864 and 1865. The New Zealand Settlements Amendment Act 1864 (28 Vict No.4 13 December 1864) The New Zealand Settlements Amendment Act 1865 (29 Vict No. 66, 10 November 1865).
[58] R. C. J. Stone., "Whitaker, Frederick", in *Dictionary of New Zealand Biography: 1769-1869*, ed. by W. Oliver (Wellington: Allen & Unwin, 1990), pp. 586-587.
[59] New Zealand Settlements Act 1863.
[60] Richard Boast, "An Expensive Mistake': Law, Courts, and Confiscation on the New Zealand Colonial Frontier", in *Raupatu: The Confiscation Of Maori Land*, ed. By R. Boast & R. Hill (Wellington: Victoria University Press, 2009), p. 149.

Martin recognised, continued a history of counter-insurgent experience in suppressing Native "rebellions" and taking Indigenous land to expand the empire. In seeking legitimacy, the Crown used legislation, like those noted above, from initial invasion to long term occupation in ways consistent not simply with military manuals produced a century later, but with its own history of counter-insurgent invasion.

Planning a Counter-insurgency Strategy

Plans to invade the Waikato predated the arrival of Thomas Gore Browne's replacement, and previous governor of the colony, Sir George William Grey.[61] Following the conflicts in Taranaki, Gore-Browne and, the newly arrived commander of the Imperial forces, General Duncan Cameron began plans to invade the Waikato as early as April 1861.[62] Gore-Browne had contemplated an attack in 1860, when Tāwhiao was crowned, but relented due to an "inadequacy" of available troops.[63] Nevertheless, forward bases were established in Drury and Great South Road, which was a metalled main supply route stretching south from Auckland to Pokeno. Construction of that section was completed by June 1861.[64]

Further redoubts were established, including Cameron's headquarters at the Queen's Redoubt in Pokeno which was only a few short miles from the Mangatāwhiri Stream and the Waikato territorial border.[65] Supply bases were also built, notably at Camerontown where stockpiles were created to support a large invasion force.[66] Richard Taylor notes that a second road in 1862 from Raglan to Whatawhata was less

[61] Kahotea, p. 93.
[62] According to Vincent O'Malley, Cameron dispatched Royal Engineers to scout for suitable invasion routes in 1861. O'Malley, p. 144.
[63] The original plan had called for roughly 2500 troops which compared to the almost 15,000 that would eventually invade in 1863. O'Malley, pp. 123-146.
[64] The Great South Road was eventually completed in March 1863. Taylor, p. 7.
[65] Nigel Prickett, "The History and Archaeology of Queen's Redoubt, South Auckland", *Records of the Auckland Museum*, 40, (2003), p. 5.
[66] Taylor, p. 7.

successful, but still used in 1864, albeit to a limited extent.[67] These projects and the extensive troop and logistics build-up in the Auckland region from 1861 demonstrate an aggressive rather than defensive posture from the Crown.[68] To avoid accusations of an illegal invasion, local British officials devised a reason to enter, suppress, and assert their legitimacy by force.[69]

In May 1861, Gore-Browne sent an ultimatum to the Kīngitanga demanding "submission without reservation to the Queen's sovereignty, and the authority of the law."[70] Of the motive to invade, O'Malley refers to Governor Browne's correspondence to the British Parliament, in which he argued that "the purchase of land at Waitara was the excuse and not the cause of the war", and that its "real cause was a deep-rooted longing for separate nationality."[71] The Crown's narrative and evidence for legitimate invasion and suppression in 1863, as different scholars have pointed out, was contrived and unconvincing.[72] With little reliable intelligence and evidence, Grey proceeded to issue his proclamation on the 11th of July 1863, and invaded the following day.[73] This thesis argues that the attempts of the invading British to control the narrative around the invasion parallels present day counter-insurgency strategy in its aim to promote the Crown's legitimacy in Kīngitanga territory.[74]

The invasion of the Waikato relied heavily on Grey's now infamous lie that Māori were "assembling in armed bands" with the intent "to ravage the settlement of Auckland to murder peaceable settlers." The proclamation at once sought to incite fear and also garner public support.[75] Grey used existing fears about tensions in

[67] Taylor, p. 7.
[68] Prickett, pp. 15-16; Taylor, p. 8.
[69] John Gorst, *The Maori King* (Tonbridge: Tonbridge Printers, 1959), pp. 243-244.
[70] O'Malley, p. 141.
[71] O'Malley, p. 143.
[72] A few vague intelligence messages such as Hamiora Ngaropi's "be on your guard with respect to Auckland by night and by day, throughout all its boundaries" were received in July 1863; O'Malley, p. 196.
[73] Grey, pp. 277-278.
[74] Grey, p. 277.
[75] Grey, p. 277.

Taranaki to justify his calls for an invasion, highlighting the killing of "officers and soldiers" by murderous Māori.[76] The aim of the invasion, as he argued, was to prevent such calamity from affecting Auckland, which enabled a narrative that turned the invasion into a legitimate security operation to protect British settlers.[77] When British forces finally crossed the Mangatāwhiri Stream, they began the largest military campaign ever to take place on New Zealand soil. It was not a response to a "murderous" Indigenous threat, but a carefully planned assault, prepared, and strategically built around a discourse of the suppression of rebellion that required a military counter-insurgency response.

Retreats, Redoubts, and Insurgent Strategies

Despite extensive preparation, the 1863 invasion of the Waikato did not run as smoothly as the Crown had hoped. The operation was set back almost immediately with British forces on the defensive until October when they attacked Meremere. This delay was caused by an insurgent "guerrilla" campaign that Richard Taylor records as a "considerable success."[78] Cameron, it appears, had not prepared well for an asymmetric counterattack to his supply lines. When the invading coloniser force captured Koheroa on July 17th, Māori launched an attack on the Great South Road near Drury.[79] The invasion's main forward supply base at Camerontown was also attacked and destroyed on the 7th of September.[80] Attacks like these forced a three-month halt to the invasion as Cameron scrambled to defend his rear.[81]

In response, the vaunted Forest Rangers were formed, and began counter-insurgency operations, hunting guerrilla groups in the Hunua Ranges in August

[76] Grey, pp. 277-278.
[77] Gorst, p. 243.
[78] Taylor, pp. 11-12.
[79] James Cowan, *The New Zealand Wars: Volume I* (Wellington: Government Printer, 1983), p 257.
[80] Ian Barton and Neville Ritchie, *A History of Queen's Redoubt& The Invasion of The Waikato* (Pokeno: Atuanui Press, 2021), p. 79.
[81] John Featon, *The Waikato War 1863-1864* (Christchurch: N.Z. Kiwi Publishers, 1996), P. 22.

1863.[82] These delays demonstrate two features of the early campaign; firstly that guerrilla and insurgent tactics were almost immediately adopted by Kīngitanga forces, and secondly, that the beginning of the campaign necessitated a counter-insurgency operation from invading British forces. In these early stages, Kīngitanga forces suffered few casualties while causing significant delay to invasion.[83] The Kīngitanga eventually abandoned this approach, and on the 30th of October 1863, the invading forces took Meremere, and a month after that seized Rangiriri.[84]

Both of these battles took place against fortified Kīngitanga positions strategically situated by the Waikato River, which needed to be removed to allow progress further south.[85] The adoption of defensive positions by the Kīngitanga against the invading forces indicated that they needed to protect vital supply areas further south.[86] This new defensive approach removed the advantage Māori had held in the opening months of the war when they used insurgent tactics. On the 8th of December, the capital of the Kīngitanga at Ngāruawāhia fell largely unopposed, providing a symbolic victory for the Crown.[87] Symbolic victories like these, as Belich also notes, demonstrated to the colonists that the British invasion was effective, raising its legitimacy and increasing colonist support.[88]

Crown and British forces flanked Kīngitanga fortifications at Paterangi, marred by a brutal massacre at Rangiaowhia by British forces.[89] Taylor notes the logistical support Rangiaowhia provided the Kīngitanga.[90] Furthermore, with the loss of Paterangi, the Kīngitanga supplies were significantly impacted, and their mobility and

[82]Taylor, p. 12.
[83] Cowan, pp. 261-262.
[84] Taylor, p. 14.
[85] Cowan, p. 317.
[86] Clifford Simons, *Soldiers, Scouts And Spies: A Military History Of The New Zealand Wars 1845-1864* (Auckland: Massey University Press, 2019), p. 230.
[87] Taylor, p. 14.
[88] Belich, p. 158.
[89] James Belich, *New Zealand Wars and The Victorian Interpretation of Racial Conflict* (Auckland: Auckland University Press, 2013), pp. 160-165.
[90] Taylor, p. 19.

defensive capabilities were severely reduced. The final battle of the Waikato campaign, at Ōrakau (31st of March - 2nd of April) was a pitiful affair.[91] An underequipped, poorly supplied and hastily dug-in force of some 300 Māori combatants, along with women and children, resisted a well-equipped and numerically superior British force.[92]

Following a supposedly "last stand" at Ōrakau, major combat operations in the Waikato ended. King Tāwhiao withdrew to the rugged hills of the southern Waikato, which came to be known as the "King Country."[93] Attention rapidly shifted to securing confiscated (raupatu) territory. Redoubts established along the supply lines stretched from Raglan, Thames, and Pokeno, with fortifications built at strategic locations such as Kihikihi, Whatawhata, and Te Awamutu.[94] These defences, in Grey's proclamation, served to secure the region, as did defences at Pirongia (Alexandra), with new military settlements at Cambridge and Hamilton also providing long term security and logistical support throughout the region.[95] The Alexandra redoubt in Pirongia, for instance, was established in 1868, four years after hostilities had ceased in the Waikato, and demonstrated the concern held about the potential threat lurking in the King Country.[96] The invasion of the Waikato, from initial counter-insurgency to long term occupation was focussed on removing the Kīngitanga from the Waikato and eventually replacing them with a supportive population. This approach bore a strong similarity to modern British counter-insurgency approaches.

[91] O'Malley, p. 332.
[92] Belich, p. 173.
[93] O'Malley, p. 347.
[94] Taylor, p. 17.
[95] Hensleigh Norris, *Armed Settlers* (Sydney: Halstead Press, 1963), p. 31.
[96] Neville Ritchie, The Waikato War of 1863-64, A Guide To The Main Events And Sites, (Wellington: Department of Conservation, 2007) p. 25.

Compensation Courts and the Manufacture of Consent

With combat operations in the Waikato drawn to a close, the British shifted their aim to the process of returning and utilising confiscated stolen land. Here the Crown balanced three key considerations in its approach that are also evident in modern counter-insurgency theory - legitimacy, security, and value.[97] During the invasion of the Waikato, it had been mooted that the sale of land seized should defray the expense the invasion had entailed.[98] To assert security in the Waikato, land seizures were justified to build military defences and settlements, and to enact control.[99] While the seizure of land addressed to some degree ongoing financial and security considerations brought about by the costs of war, it negatively impacted the government's legitimacy. In the rush of invasion, it appears as if ownership of the territory seized was an afterthought.[100] But the invading colonial government had foreseen this and in The New Zealand Settlements Act 1863 prepared for it by stating that "[c]ompensation shall be granted to all persons who have any title interest or claim to any Land taken under this Act", with the exception of those who were considered to have supported the Kīngitanga "rebellion."[101]

A large number of cases were heard in "Compensation" Courts, and much has been written about the history of land dispossession via the Native Land Court system from the mid-1860s onward.[102] It is important to point out that strategy of confiscations or "stolen land" was "the norm" for British military practice across the empire.[103] According to the Aborigines Protection Society's letter to Grey in 1864, they "could

[97] Bryan Gilling, "Raupatu: The Punitive Confiscation of Maori Land in the 1860s", in *Raupatu: The Confiscation Of Maori Land*, ed. by R. Boast & R. Hill (Wellington: Victoria University Press, 2009), p. 23.
[98] Michael Allen, "An Illusory Power? Metropole, Coloy and Land Confiscation in New Zealand 1863-1865", in *Raupatu: The Confiscation Of Maori Land*, ed. By R. Boast & R. Hill (Wellington: Victoria University Press, 2009), p. 119.
[99] New Zealand Settlements Act 1863, p. 20.
[100] Allen, p. 121.
[101] New Zealand Settlements Act 1863, p. 20.
[102] Richard Boast, Buying The Land, Selling The Land: Govts & Maori Land in the North Island 1865-1921 (Wellington: Victoria University Press, 2008), p. 349.
[103] Margaret Mutu, 'Māori Issues', *Contemporary Pacific*, 22.1 (2010), p. 183.

conceive of no surer means of adding fuel to the flames of the War, of extending the area of disaffection, and making the Natives fight with madness and despair than a policy of confiscation."[104] The Compensation Courts forced Māori to navigate British laws around ownership of land, and removed Māori land ownership from more than 80% of their own whenua.[105] The invasion of the Waikato was a long-planned strategy to suppress Māori resistance, and reflects much of today's modern counter-insurgency theories and approaches. The remaining chapters in this thesis explore in depth how counter-insurgency theories and tactics can be seen in various aspects of the invasion, both forces, and their various strategic approaches and decisions.

Summary

This chapter argued that the violent assertion of British sovereignty in 1863 was part of a counter-insurgency approach that "othered" Māori and sought to orchestrate the legitimisation of British sovereignty in the Waikato from 1863 onward. It provided an important, albeit selective and brief, overview of the historical background and context of the invasion, including the importance of the terrain to the Crown's economic objectives and its suitability to the insurgent tactics used by the Kīngitanga forces. The chapter looked at the rise of the Kīngitanga as a political movement concerned with land loss and tribal unity, but constantly willing to work and co-govern with Pākehā. They were not "rebels" or insurgents, but as this chapter illustrated, were brandished "murderers", "communists" and greedy "landlords" by the British in order to influence and control public sentiment.

The Kīngitanga, as this chapter argued, threatened British claims to legitimacy and their suppression became a key aim of their counter-insurgency strategy in 1863. This chapter also looked back on the Waitara Purchase and the various conflicts at Taranaki

[104] Richard Boast, p. 150.
[105] Bryan Gilling, p. 23.

that led up to the Waikato invasion, highlighting the growing enmity that was steadily building between the Crown and local Māori. The chapter then turned to a brief consideration of Governor Gore Browne's attempts at a hui in Kohimarama in 1860 to gather support from Māori for its policies and claims to legitimate authority since 1840. The incessant aim to legitimise and normalise British authority, as this chapter has argued, was a constant refrain that found its way into the key legislation, and was part of a counter-insurgency strategy, that removed Māori land and suppressed Waikato Māori resistance in 1863.

The violent enactment of a counter-insurgency approach to legitimise authority can be seen, as this chapter illustrated, in the lead up to the 1863 British invasion. Legitimacy and other counter-insurgency approaches, as this chapter showed, were evident in 1863 and beyond through the establishment of redoubts and outposts. This chapter concluded with the long-term maintenance of British legitimacy through ongoing legislation and the manufacture of consent through the Māori Land Courts which also dispossessed Māori of their land and stifled their ability to develop economically. The historical background provided in this chapter sets the scene for the final two chapters that follow. They explore the "military" and "political" aspects of counter-insurgency that are evident in the tactics and strategies employed by both British and Māori forces.

Chapter 4: Military Counter-insurgency Examples in the Waikato

This thesis has presented an overview of counter-insurgency theory and a broad background to the Waikato invasion conflict. This chapter compares examples from the 1863 offensive to modern counter-insurgency theory and tactics in *Armed Forces Manual Volume 1 Part 10 Counterinsurgency* (2009) and *Field Manual 3-24: Insurgencies and Countering Insurgencies* (2014).[1] It demonstrates how modern counter-insurgency strategies can be seen in examples of the British invasion and Māori resistance. This chapter is devoted to an examination of the "military" aspects of counter-insurgency, while the following chapter (Chapter 5) looks more closely at the "political" aspects.[2] As such, it is important for the reader to remember that the two are intertwined as part of counter-insurgency and are only separated in this thesis for ease of analysis. This chapter considers four examples, each highlighting an aspect of counter-insurgency military operations.

The first contemporary example explored in this chapter contends that Crown and British forces saw the need to protect their lines of communication from insurgent ambushes with route clearance and protection, which are now staples of modern counter-insurgency. In the second example, the reaction to the threat from Māori forces and the need for counter-intelligence are, as this chapter suggests, strong examples of counter-insurgency theory in action in 1863. Example three investigates how the response to ambush by a Quick Reaction Force (QRF) in a 'cleared' region of the Waikato similarly demonstrated counter-insurgency approaches operating at the time. The fourth example explores how the establishment of Forward Operating Bases (FOBs) were used to control the population. Each of these examples compares an

[1] Headquarters Department of The Army, *FM 3-24: Insurgencies And Countering Insurgencies* (Washington DC: Headquarters Department of The Army, 2014); Warfare Development, *British Army Field Manual Volume 1 Part 10: Counterinsurgency* (London: Ministry of Defence, 2009).

[2] The military aspect of counter-insurgency is tactical and aims to physically secure a region. The political aspect of counterinsurgency focusses on establishing legitimacy and support. The military and political aspects of counter-insurgency are interdependent.; Warfare Development, p. 76.

aspect of modern counter-insurgency doctrine with the actions taken by the Crown and British forces during the Waikato invasion. They demonstrate how Crown and British forces employed a coherent military counter-insurgency approach, close to a century before the term came into popular military use.

Example 1: Protecting Lines of Communication from the Insurgent

According to *AFM 1-10*, in a counter-insurgency, the all-pervasive threat from the insurgent puts the counter-insurgent's supply lines in jeopardy.[3] In *Bush Fighting*, James Alexander describes how in response to this issue Crown forces developed supply lines in the Waikato as the invasion progressed.[4] His emphasis reflects just how crucial road clearing and securing supply lines were to the invasion.[5] For Alexander, protecting supply lines held much greater strategic magnitude than other more well-chronicled aspects of the invasion, like the battle at Rangiriri.[6] Alexander described why these measures were so important. He writes, that:

> [W]hile the labour of clearing would be materially lessened, the enemy would be deprived of thick cover, while should he attempt to avail himself of that offered by the standing trees, there would be avenues made for following him. On the other hand, the large trees, if felled, would still afford cover for the enemy's ambuscades, and be in the first instance, a serious obstacle to the troops in attempting to follow him. On service, we all know that when a judicious order is given it should be most carefully obeyed. Thus, General Cameron had directed that all working parties should have a covering party for protection near them.7

Three key points stand out in Alexander's observation; (1) the importance of protecting supply routes, (2) the effort needed to prevent ambushes from being

[3] Warfare Development, p. 151.
[4] James Alexander, *Bush Fighting* (London: Low and Searle 1873).
[5] Alexander, pp. 95-107.
[6] Richard Taylor, 'Logistical Operations in the Waikato War 1863-64', *New Zealand Army Military Studies Institute Occasional Papers Series*, 9, (2005), p. 5.
[7] Alexander, pp. 60-63.

considered worthwhile, and (3) the need to provide working parties with a covering party. These points might appear self-evident, but they are a dramatic change from conventional operations. Colonial operations often relied on having a secure rear area for logistical support. This allowed the often numerically small colonial forces to have a strong weighting towards an offensive capability.[8] The scale of this disproportionate focus can be seen in the Waikato invasion, where a mere two hundred troops were dedicated to logistics at the start of the invasion.[9] In a counter-insurgency campaign without a defined front line, these logistics were extremely vulnerable. As seen in Alexander's observations, the Waikato campaign had a severe lack of rear area security, especially in the first three months of the invasion. The *AFM 1-10* counter-insurgency manual gives two useful excerpts that relate directly to Alexander's observations during the invasion. The first of these is the need for route clearance in protecting supply routes, as well as:

> [B]alancing speed against the security of a deliberate route clearance. The number of vehicles and troops likely to be required to secure a route should not be underestimated, particularly if an adverse reaction from the local population is expected.[10]

There is a clear link here between Alexander's description of the route clearance and security and modern counter-insurgency theory. Alexander's reference to the need for not only a "working party", but also a "covering party" for security, demonstrates the manpower demanded by the efforts to clear a supply route in a counter-insurgency operation.[11] By removing the thick vegetation that provided cover to a potential ambush party, Cameron encouraged "deliberate route clearance" to ensure that his supply lines remained secure.[12] This approach proved effective as the invasion progressed. Attacks on the supply lines almost disappeared towards the later stages

[8] Taylor, p. 17.
[9] Taylor, p. 8.
[10] Warfare Development, p. 191.
[11] Alexander, p. 61.
[12] Warfare Development, p. 191.

of the conflict.[13] Furthermore, these "adverse reactions" often manifested, as Alexander records, in ambushes of "working parties."[14] While the "working parties" were a method of securing the route into the Waikato, they presented a vulnerable and largely isolated target that proved tempting to the Kīngitanga forces.

Another aspect of modern British counter-insurgency, that similarly connects with Alexander's observations, can be seen in strategic issues that arise around logistic support. According to the *AFM 1-10* manual, a unit's logistics and supplies need to be protected, and thus:

> [A]n array of distribution methods are required to achieve the requirement. The task of regular resupply to combat units, bases and other troops on location could become an operational problem if the movement of resupply is under threat from insurgents. Decisions about manpower and equipment for logistic troops and, if applicable, escorting troops … could affect operational planning significantly … In a campaign or an area where the insurgent has strength and is very active, logistics operations will be mounted as deliberate operations involving combat, combat support and combat service support elements.[15]

The main intent of the Waikato invasion "working parties" was to secure the supply routes for the advancing British forces. The associated logistical burden is documented by Richard Taylor, who describes a supply network on the verge of breaking due to the demands placed on it by the size of the force for which support was being provided.[16] Alexander argues that every effort was made to protect against "insurgent attack" by Kīngitanga forces in the opening months of the conflict and proved costly.[17] Working parties, he writes, reported losses to enemy action, and as a result convoys required "escorts."[18] These protectors were meant

[13] Vincent O'Malley, *Beyond The Imperial Frontier: The Contest for Colonial New Zealand* (Wellington: Bridget Williams Books, 2014), pp. 56-57.
[14] Alexander, pp. 69-62.
[15] Warfare Development, p. 151.
[16] Taylor, p. 8.
[17] Alexander, p. 63.
[18] Alexander, p. 62.

to dissuade potential ambushers, and can be considered the equivalent of the "escorting troops" mentioned in modern British counter-insurgency theory.[19]

The size and complexity of the supply network, along with the much-needed protection force, caused Cameron to lament that "I have been obliged to establish strong posts along our line of communication, which absorbs so large a portion of our force, that until I receive reinforcements it is impossible for me to advance any further up the Waikato."[20] Both Cameron's and Alexander's observations tell us that nineteenth century British forces in Aotearoa enacted strategic and tactical approaches that are known today as counter-insurgency. Securing supply lines in the Waikato, for some, was a key aspect of the invasion, and this approach arose from an informal doctrine aimed at suppression and countering what were seen then as "insurgents" or "rebels." But securing supply routes alone was not the only approach that reflected modern-day counter-insurgent tactics and philosophies. In the terminology and descriptions of counter-insurgency, both sides enacted specific tactics. While invading British forces secured supply lines, local Indigenous resistors used "harassing attacks" and asymmetric warfare to slow the invader's advance.[21]

Example 2: The Insurgent as a Pervasive Threat and Counter-insurgent Intelligence

One of the clearest indicators of a counter-insurgency conflict is that the insurgent, in this case Māori in the Waikato, is not limited to a front line, but is instead able to attack where, when, and in whatever manner they choose.[22] Because the insurgent is not limited to force-on-force engagements nor to specific geographic areas they are able

[19] Warfare Development, p. 151.
[20] Cameron to Secretary of State for War, 30 Jul 1863. (WO 33/12).
[21] Vincent O'Malley, *Voices from the New Zealand Wars: He Reo Nō Ngā Pakanga o Aotearoa* (Wellington, Bridget Williams Books, 2021), p. 156.
[22] Max Boot, *Invisible Armies: An Epic History Of Guerrilla Warfare From Ancient Times To The Present* (New York NY: Liveright Publishing, 2013), p. 24.

to harass the counter-insurgency forces beyond a front-line.[23] Accordingly, the counter-insurgent force, in this example the British, is potentially vulnerable everywhere it operates and is thus forced to defend itself constantly. This form of conflict is extremely draining on the manpower available to a counter-insurgent force and severely limits their options in seizing the initiative.[24] Two individuals in the Waikato invasion were quick to notice this problem and challenge - John Gorst and Gustavus Von Tempsky. On this issue, for instance, Gorst wrote that:

> It does not require a large force of savages to inflict great loss upon our settlements. The chief mischief in the present war was not done by the 1000 men who gathered in Meremere to fight the General, but by the small bands of twenty to thirty each, who roamed in the Hunua Forest.[25]

The invading British were acutely aware of the threat posed by small Kīngitanga ope taua. Crown forces also knew, as did James Belich, that the larger "battles" waged at Meremere and Rangiriri were not the achievements that they had made them out to be.[26] Rather the inability of the Crown to control the terrain that they had "captured" proved a far greater struggle due to the amount of manpower needed to control the territory of those they had not managed to subdue.[27] One of those assigned to address this issue was Von Tempsky, who later in the war, wondered**:**

> Why this process [of harassing attacks] was not carried on all along the banks of the Waipa is difficult to understand - in fact the natives did not harass us half as much as they might have done - nor did they avail themselves in the thousandth part of the advantages of the country, for

[23] Warfare Development, p. 104.
[24] Boot, p. 24.
[25] John Gorst, *The Maori King: or the Story of our Quarrel with The Natives of New Zealand* (Tonbridge, Tonbridge Printers, 1959), p. 403.
[26] James Belich, *New Zealand Wars and The Victorian Interpretation of Racial Conflict* (Auckland: Auckland University Press, 2013), p. 84.
[27] Vincent O'Malley, *The Great War For New Zealand Waikato 1800-2000* (Auckland: Bridget Williams Books, 2016), p. 230.

> ambush and other elements of 'la petite guerre'. They seemed to be determined … to fight us on the grandest principle only.28

Von Tempsky refers here to his time in North America, where he observed 'the little war' ("la petite guerre") or guerrilla warfare, sometimes called "irregular warfare" in the "harassing" attacks carried out by Native Americans.[29] Therefore, it is likely he already had experience with these types of operations. This recognition is a clear indicator that at least some of the invading Crown forces recognised the effectiveness of the guerrilla warfare approach employed by Kīngitanga resistors.

While guerrilla warfare itself does not necessarily entail an insurgent approach, it is almost universally the tactical preference of an insurgent force since it provides significant benefits at little cost.[30] James Belich and Clifford Simons explicitly refer to the use of guerrilla warfare tactics by Kīngitanga forces in the early stages of the invasion. However, they do not discuss how it related to the Crown's approach to the invasion. This is possibly due to how quickly the tactic was abandoned by the Kīngitanga once Crown forces advanced further into the heart of the Waikato.[31] As Von Tempsky observed, the Crown was surprised that the Kīngitanga forces abandoned their insurgent guerrilla operations after successes such as the raid on Camerontown.[32] Instead, a guerrilla approach was replaced by defensive battles where the Kīngitanga lost much of its advantage.[33]

In *Jungle Warfare: Experiences And Encounters* (1989), J. P. Cross writes that an insurgent force will attempt to achieve parity of force with the counter-insurgent force

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[28] Gustavus Von Tempsky, Memoranda of the New Zealand Campaign In 1863 and 1864, 1865 (Waikato: Von Tempsky, 1864), p. 93.
[29] Boot, p. 21-24.
[30] Ivan Arreguin-Toft, How The Weak Win Wars: A Theory of Asymmetric Conflict, International Security, 26.1 (2001), p. 105.
[31] Clifford Simons, *Soldiers, Scouts And Spies: A Military History Of The New Zealand Wars 1845-1864* (Auckland: Massey University Press, 2019), p. 49; Belich, p. 140.
[32] Simons, p. 226.
[33] Simons, p. 245.

before resorting to conventional means.[34] It is quite possible that, as indicated previously, logistical constraints forced the Kīngitanga to adopt this conventional strategy.[35] In modern counter-insurgency theory, "situational" awareness of the constant insurgent threat, as well as ensuring "operational security" and "force protection" are key factors in dealing with a harassing insurgent force. *AFM 1-10* notes that:

> In counterinsurgency operations, the threat will be all-pervasive. There are unlikely to be traditional front lines or echelons and the insurgent will avoid decisive engagements, employing instead harassing and delaying tactics rather than attempting to defeat the counterinsurgent forces in the short term. This means that situational awareness, OPSEC [Operational Security] and force protection at all levels of the counterinsurgent force is important and there may be an increased requirement for intelligence collection and assessment/analysis resources to be developed or deployed with units that would not normally receive such intelligence support on conventional operations.[36]

An "all-pervasive" threat aptly sums up the menace posed by the Kīngitanga forces, with many of their actions in the early war occurring north of the Mangatāwhiri Stream "border."[37] While there was a 'front line' of sorts, it appears more to have existed in the mind of the Crown and historical map makers rather than local Māori perceptions.[38] This supposed front line did not define where Kīngitanga forces counterattacked.[39] Even when Kīngitanga forces resorted to defensive engagements, with the exception of Ōrakau, they always withdrew rather than allow themselves to be surrounded.[40] These tactical withdrawals robbed the invading force of a decisive victory. Delaying tactics were evident not only in the guerrilla warfare approach used

[34] John Cross, *Jungle Warfare: Experiences And Encounters* (London: Guild Publishing, 1989), p. 143.
[35] Chapter 2: Kīngitanga Logistics, p. 69.
[36] Warfare Development, p. 104.
[37] Simons, p. 226.
[38] O'Malley, p. 230.
[39] Belich, p. 141.
[40] Belich, p. 199.

at the start of the invasion but in the defensive strategies employed by Māori at Meremere, Rangiriri, and Paterangi.[41]

The Crown's response to Māori defensive strategies is described by Clifford Simons, who observes that the British military had almost no organic intelligence capability at the time of the Waikato invasion.[42] Indeed, with few Europeans in the Waikato at the time of the invasion, Cameron and his troops were partially blind.[43] To counter this, the Forest Rangers, led by Von Tempsky, provided much-needed reconnaissance with long-range patrols tracking and locating Kīngitanga forces and key strategic positions.[44] Despite some successes, they were not as effective as the intelligence network prescribed for counter-insurgency operations in the *AFM 1-10*.[45] This failure to create timely, accurate, and useful, intelligence limited the effectiveness of the invasion, with many of the engagements between the Crown and Kīngitanga (such as at Meremere and Rangiriri) having almost numerical parity despite the general rule of attacking forces needing to outnumber defending forces three to one.[46] Even so, the fact that the Crown forces attempted to create an intelligence capability during the invasion in the form of the Forest Rangers suggests they were aware of the importance of intelligence to their counter-insurgency efforts. But the failure to utilise that intelligence effectively had significant consequences for the Crown forces' counter-insurgency effort as the invasion progressed. These failings would leave the invading force exposed to insurgent ambushes.

[41] James Cowan, *The New Zealand Wars: Volume I* (Wellington, Government Printer, 1983), pp. 322-327.
[42] Simons, pp. 45-46.
[43] Simons, p. 229.
[44] Simons, p. 214.
[45] Warfare development, p. 8.
[46] Simons, p. 216.

Example 3: "Clearing" a Region and Insurgent Re-infiltration

While Crown forces had an awareness of Kīngitanga insurgent tactics and attempted to apply intelligence measures to counter some of their effects, they also employed specific tactics that can also be seen as counter-insurgency. The actions of British troops during the invasion reflect the tactical posture of the Crown. On the 11th of February 1864, for instance, a skirmish occurred near Mangapiko, a short distance from Pāterangi. This event was described by Lieutenant Colonel Havelock, who recounted that at about 2:30 pm:

> [O]n an alarm that a bathing party had been suddenly fired on from an ambush by apparently 100 Maoris [sic] detached from the Paterangi pa, the inlaying pickets of 40th and 50th Regiments, at this camp, turned out promptly, and hastened to the scene, being reinforced immediately by parties of both regiments as fast as the men could seize their arms. The Maoris [sic] retired along the left bank, and a sharp running fight soon commenced between them and the foremost pursuers.[47]

That the British felt secure enough to allow a "bathing party" to become isolated with inadequate security suggests they were expected at this stage no further insurgent "harassing" attacks.[48] Indeed, by 1864 the Kīngitanga forces had largely abandoned guerrilla tactics for more conventional methods like those seen at Rangiriri.[49] A lack of forthcoming intelligence warning of the attack also brought into question the effectiveness and reliability of the Crown's local informants and spies.[50] The rapid reaction of the 40th and 50th Regiment's "pickets" (sentries), at the time however, is a reminder that that while the Crown forces were moderately relaxed, they still saw the need to maintain some form of security.[51] This overconfidence, perhaps, also

[47] Richard Stowers, *Forest Rangers* (Hamilton: Print House, 1992), pp. 59-60.
[48] While the "bathing party" mentioned may have had a hygienic rather than recreational intent, the decision to place the unit in such a vulnerable position indicates a relaxation of security. This is notable when compared to James Alexander's observation on the 25th of August 1863 attack where the lack of a "covering party for protection" demonstrated the fatal result of such a security failure. Alexander, p. 61.
[49] Ranginui Walker, *Ka Whawhai Tonu Matou: Struggle Without End* (Sydney: Griffin Press, 2004), pp. 123-124.
[50] Von Tempsky, p. 93.
[51] Stowers, p. 59.

demonstrated that Crown forces believed they had aptly cleared the Kīngitanga presence from the region as part of the advance and were now focused on holding the terrain.[52] Clearing an insurgent force from an area is part of the "clear, hold, build" counter-insurgency strategy which states that:

> During the clear phase, counterinsurgents should be actively securing the population. Counterinsurgents must displace insurgents and enable basic governmental functions in their area. Moreover, the population must have the confidence that counterinsurgents will remain and insurgents will not control the area … To gain legitimacy during this period, counterinsurgents must focus on securing the population.[53]

According to modern counter-insurgency theory, insurgents must not be allowed to re-infiltrate a region following a "clear" phase.[54] During this phase, the insurgent will do whatever possible to limit or hinder a counter-insurgent force's control of the region. After clearing an area, it is imperative that the counter-insurgent prevents the insurgent's re-infiltration.[55] The ambush of the bathing party near Mangapiko demonstrated that while the invading force had secured the area to an extent, the Kīngitanga force had managed to re-infiltrate it.[56] This was a failure on the part of the invading force to successfully secure the region from the insurgent presence. The existence of a Quick Reaction Force (QRF) in the form of the "pickets" that responded to the ambush suggests there was some understanding that the Kīngitanga could re-infiltrate the region and that the "pickets" were an attempt to secure the cleared area.[57] The ambush by the Kīngitanga demonstrated the use of small unit tactics to inflict casualties on the invaders while limiting their own losses. This approach can be seen

[52] Stowers, p. 61.
[53] Headquarters Department of The Army, p. 120.
[54] Warfare Development, p. 79.
[55] Headquarters Department of The Army, p. 103.
[56] Stowers, p. 60.
[57] Warfare Development, p. 276.

in the *FM 3-24* manual, which describes how insurgents use "a wide range of tactics to attack counter-insurgents," and that:

> The tactics insurgents use will be based on their capabilities. During a war of movement, insurgents may try to destroy host-nation government forces ... When the host nation has an advantage in capability, insurgents will probably use small-unit tactics in order to not become decisively engaged.[58]

Colonel Henry Havelock had estimated the Kīngitanga force at roughly "100 Maoris" strong, a large commitment for an ambush. Rangiriri itself had only involved some 900 Māori defenders.[59] The Mangapiko ambushing ope taua (force) had a numerical advantage, which was similar to practices advocated in modern counter-insurgency tactics.[60] Their rapid withdrawal following the arrival of other British invaders indicates that Māori had wanted to avoid exposing their people to the disadvantages they faced in conventional battle.

This style of ambush against small units has a long history in counter-insurgency conflicts due to its asymmetric nature.[61] By allowing a smaller force to seriously hinder a much larger force, without sacrificing itself in the process, the asymmetric approach allows insurgents to present a credible threat to the counter-insurgent.[62] This withdrawal in the face of superior numbers indicated that the Kīngitanga was intent on force preservation, much like an insurgent force.[63] In opposition, Crown forces tried to clear the area, in much the same manner as a counter-insurgent force applying a modern counter-insurgency approach. The ambush on the Mangapiko, demonstrated how the Crown and British force's failure to successfully implement a counter-insurgent clearance of the region allowed the

[58] Headquarters Department of The Army, p. 75.
[59] Simons, p. 216.
[60] Insurgent and Guerrilla units adopt ambush tactics to prevent themselves from "becoming decisively engaged" and destroyed by counter-insurgent forces; Headquarters Department of The Army, p. 66.
[61] Boot, p. 293.
[62] Paul Rich and Isabelle Duyvesteyn, *The Routledge Handbook of Insurgency and Counterinsurgency* (Abingdon: Routledge, 2012), p. 76.
[63] Stowers, pp. 59-60; Warfare Development, p. 37.

Kīngitanga force to execute an insurgent-style ambush. However, the Crown and British forces had a permanent approach to securing the Waikato.

Example 4: Defensive Positions, and Controlling the Population

A close reading of Governor George Grey's "Notification to the Chiefs of the Waikato", dated 11th July 1863, reveals various ways counter-insurgency principles can be seen in the implementation of the invasion.[64] Grey emphasised "protection" as a key motivation for the invasion and its method. I am "compelled", he argued, "for the "protection of all" to:

> [E]stablish posts at several points on the Waikato River, and to take necessary measures for the future security of the persons inhabiting that district. The lives and property of all well-disposed people living on the river will be protected and armed and evil-disposed people will be stopped from passing down the river to rob and murder the Europeans.[65]

Here Grey lays out his equivalent of the "clear, hold, build" strategy, described in Chapter 1 of this thesis.[66] The starkest means of demonstrating this is to insert the language of modern counter-insurgency theory into a rereading of Grey's proclamation. Thus, "posts at several points" is the nineteenth-century equivalent of Forward Operating Bases (FOBs) at several points.[67] Grey's promise to protect "well disposed people" similarly relates to the counter-insurgency goal to "support of the population."[68] Finally, Grey carefully and deliberately positions Waikato Iwi as the "armed and evil-disposed people", who should eb thought of by the general population as "insurgents" or the more contemporary term "rebels."[69]

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[64] George Grey, 'Notification To The Chiefs Of The Waikato', *New Zealand Gazette*, 15th July 1863, pp. 277-278.
[65] Grey, p. 278.
[66] Chapter 2: "Clear, Hold, Build", p. 46.
[67] Headquarters Department of The Army, p. 103.
[68] Grey, p. 277; Warfare Development, p. 14.
[69] Grey, pp. 277-278; Headquarters Department of The Army, p. 14.

The intent of Grey's notification was to secure the population rather than the terrain and to ensure that the supposedly "insurgent" Kīngitanga force was unable to operate effectively in the region. His plan reflects the modern counter-insurgency view that both the "insurgency and the host nation" will "attempt to control the population."[70] For Grey, as it is in modern counter-insurgency strategy, the security of the population is key to establishing legitimacy and prevents insurgent forces, even if they are locals and Natives, from challenging their assertions of legitimate governance.[71] The proclamation sought to control the narrative of the campaign by presenting the Crown as the lawful and legitimate defender of the Waikato, rather than an invader.[72] But it also sought local support, and was designed to influence and attract public sentiment for the cause.[73]

In modern counter-insurgency theory experts contend that by "securing the population and by stabilising the situation, governance can be re-established for the benefit of the population."[74] The outposts ("posts") outlined in Grey's proclamation were established before the founding of military settlements in the Waikato to secure the long term occupation of a colonising population. [75] An example of these "posts" still exists as an abandoned small hillock on the outskirts of Pirongia.[76] The Alexandra Redoubt was built in 1868 on the site of the forward outpost military settlement that was established in 1864.[77] The settlement's role, much like its name suggests, was to provide infrastructure for the "soldier-settlers" who had taken part in the invasion while also providing security to the wider region.[78] Alexandra, then, acted as a combat

[70] Headquarters Department of The Army, p. 20.
[71] Headquarters Department of The Army, p. 126.
[72] Avril Bell, "Bifurcation or Entanglement? Settler Identity and Biculturalism in Aotearoa New Zealand", *Continuum*, 20:2, (2006), p. 265.
[73] Headquarters Department of The Army, p. 126.
[74] Warfare Development, p. 8.
[75] Redoubts were the priority of construction and were constructed before military settlements; Hensleigh Norris, *Armed Settlers* (Sydney: Halstead Press, 1963), p. 49.
[76] Neville Ritchie, *The Waikato War of 1863-64, A Guide To The Main Events And Sites* (Wellington: Department of Conservation, 2007), p. 25.
[77] Ritchie, p. 25.
[78] Ritchie, p. 25.

post, providing security to the population. When the Redoubt itself was established, the intent was much the same, by 1868 the security situation in the Waikato had deteriorated to the extent that settlers, who had been introduced into the region after the invasion, felt the need for more formidable security.[79] This was repeated in 1872 when the Redoubt was rebuilt to its final form. It was decommissioned in 1886 when it was recognised that there was no longer a need to "protect" the population from a threat that never materialised.[80] The Redoubt provides physical evidence of the counter-insurgency approach in the Waikato invasion by demonstrating how the Crown and British forces secured the population.

Summary

This chapter has presented four examples to demonstrate the direct links between the tactics used in 1863 Waikato invasion and modern counter-insurgency found in *AFM 1-10* (2009) and *FM 3-24* (2014) British and American manuals. The first example, "Protecting Lines of Communication from the Insurgent", looked at how Crown forces spent significant effort in an attempt to protect their supply lines from ambush, a priority in a counter-insurgency when terrain is not controlled.

The second example, looked at "The Insurgent as a Pervasive Threat and Counter-insurgent Intelligence", and found that an all-pervasive threat was presented by Kīngitanga forces through their" harassing" tactics which are common to insurgent strategies of "irregular warfare." This forced the Crown to respond by establishing the Forest Rangers unit, but their failure to utilise that intelligence effectively had significant consequences as the invasion progressed.

In the third example, "Clearing" a Region and Insurgent Re-infiltration" was explored using the ambush at Mangapiko in 1864. It highlighted the Crown's ill-

[79] Ritchie, p. 25.
[80] Ritchie, p. 25.

preparedness, and how Kīngitanga forces focused on force preservation during the ambush. The "Bathing Party" ambush, as this chapter showed, is an apt example of how the counter-insurgency approach of "clearing" and "holding" occurred in opposition to the Māori "harassing" insurgent strategy.

The final example, "Defensive Positions, and Controlling the Population", looked at how sections of Grey's 1863 proclamation aligned closely with counter-insurgency theory, particularly its focus on securing the population. It was also noted how the use of the proclamation itself was part of a carefully constructed campaign narrative that mirrors modern counter-insurgent strategy. This example also looked at how the establishment of the "posts" like Alexandra, alluded to in Grey's proclamation, were equivalent to the Forward Operating Bases (FOB) and combat outpost of a modern counter-insurgency campaign. Modern counter-insurgency principles and theories, as these military examples have shown, were evident in Māori and British military strategies and approaches during the Waikato invasion. The following chapter will build on this by looking at the primarily political counter-insurgency strategies also employed during the invasion.

Chapter 5: Political Counter-insurgency Examples in the Waikato

According to modern counter-insurgency tactical manuals, "war is won not through the destruction of enemy forces but by winning over the local population."[1] The population must believe that the counter-insurgent force works in their interests and are the strongest option to deliver security. In counter-insurgency theory, achieving this legitimacy, then, means gaining the population's acceptance of the counter-insurgent's "right to govern" or "of a group or agency."[2] This authority, however, must be "genuine and effective" and applied "fairly and legally", which cannot be achieved solely by the military "combat" approach discussed in the previous chapter.[3] British governance, was certainly not applied "fairly" or "legal" to Māori during or after the 1860's confiscations and hostilities.[4] Nevertheless, legitimacy as a political strategy creates the supportive population base that starves the insurgent of support and is sometimes referred to as the "battle of the narrative."[5] In the 1863 Waikato invasion, this narrative sought to entrench in popular public imagination the "idea" that the counter-insurgent force's authority was indeed "genuine and effective."[6] For insurgents, the goal was the same. They too needed to present themselves as the obvious power and security option in the region.[7] This chapter considers examples of British counter-insurgency strategy in 1863, examining more specifically the political tactics used to secure or advance British legitimacy and to sanction their invasion and use of violence.

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[1] Headquarters Department of The Army, *FM 3-24: Insurgencies And Countering Insurgencies* (Washington DC: Headquarters Department of The Army, 2014), p. 20.
[2] Warfare Development, *British Army Field Manual Volume 1 Part 10: Counterinsurgency* (London: Ministry of Defence, 2009), p. 11.
[3] Warfare Development, p. 12.
[4] Walker, Ranginui, *Ka Whawhai Tonu Matou: Struggle Without End* (Sydney: Griffin Press, 2004), p. 129.
[5] Warfare Development, p. 13.
[6] Warfare Development, p. 13.
[7] Warfare Development, p. 13.

These political tactics are explored in four examples that compare statements and legislation from the Waikato invasion with the corresponding strategic directives in both the *AFM 1-10* and *FM 3-24* modern counter-insurgency manuals.[8] The first example considers how both the Suppression of Rebellion Act 1863 and Grey's "Notification to the Chiefs of the Waikato"(also issued in the same year) were used as public proclamations to legitimate Crown invasion and simultaneously demonize Kīngitanga.[9] The second example considers how The Settlements Act of 1863 also reflects modern counter-insurgency strategy in the establishing of populations sympathetic to, and supportive of, the Crown.[10] Example three likewise refers to contemporary legislation, debates, and reports, in analysing the role of local militia in protecting a supportive population in the Waikato. The final example considers the role of Compensation Courts in asserting British legitimacy by not only dispossessing Waikato Iwi of their whenua but forcing all Māori to participate in the invaders legal system in order to have their grievances supposedly lawfully heard. These examples demonstrate in various ways how modern counter-insurgency approaches can be seen in the British political strategies during the 1863 invasion.

Example 1: Counter-insurgency and the "Rebel" Narrative

The Suppression of Rebellion Act 1863 and Grey's "Notification to the Chiefs of the Waikato" of August 11th of the same year were both explicit in creating a narrative that demonized the resistance presented by the Kīngitanga.[11] The Suppression of Rebellion Act 1863 proclaimed the Crown's power to establish legal courts during the invasion and circumvent the civilian justice system by using court-martials to try non-

[8] Warfare Development, p. 1. Headquarters Department of The Army, p. 1.
[9] Suppression of Rebellion Act 1863 (27 Vict No.7, 3 December 1863).
[10] New Zealand Settlements Act 1863 (27 Vict No.27, 3 December 1863).
[11] George Grey, 'Notification To The Chiefs Of The Waikato', *New Zealand Gazette* 15 July 1863, pp. 277-278. Also known as "Governor Grey's Proclamation."

military detainees, which was roundly denounced as "oppressive and unnecessary."[12] The 1863 Act also allowed the Crown to detain combatants and try them without any representation.[13] This was seen as a removal of the rights of Māori if seen to be in "rebellion" as British subjects. [14] Most significantly, the Act, in naming and defining what a "rebel" is, took hold of the narrative around legitimacy and who and what the general public should count as having lawful authority. This is explicit in the preamble to the Act which highlighted the pressing need for "peaceful" subjects to be protected from murderous "rebels":

> WHEREAS a combination for the subversion of the authority of Her Majesty and Her Majesty's Government has for some time existed amongst certain Aboriginal tribes of this Colony and has now manifested itself in acts of open Rebellion And Whereas persons in prosecution of the said Rebellion have committed murders on some of Her Majesty's subjects engaged in their peaceful occupations have pillaged their homesteads and burnt and destroyed their property And Whereas the ordinary course of law is wholly inadequate for the suppression of the said Rebellion and the prompt and effectual punishment of those who are guilty of such atrocity and outrage.[15]

Any "subversion" of local British governing "authority" is described here as an explicit and direct threat to the Crown's legitimacy. The invading British, in controlling the narrative, defined the nineteenth-century "insurgent" in Aotearoa as a subversive "rebel" as Māori.[16] Controlling the popular public perception was crucial to the coloniser's denial of Māori sovereignty and maintenance of support from local Pākehā.

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[12] Suppression of Rebellion Act 1863, p. 17. Frederick Whitaker, *New Zealand Parliamentary Debates Third Parliament Legislative Council And House or Representatives: 1861 To 1863*, ed. by M. Fitzgerald (Wellington: Government Printer, 1886), p. 859.
[13] Suppression of Rebellion Act 1863, p. 17.
[14] *Te Tiriti o Waitangi* 1840.
[15] Suppression of Rebellion Act 1863, p. 15.
[16] Grey, p. 277.

By 1863 British colonisers had voiced significant displeasure at their local governing leaders who they believed were not assertive enough in quelling Māori resistance at Wairau (1843), in their pursuit of Hone Heke in Northland (1845-), or during the Waitara purchase in Taranaki (1860-).[17] No Kīngitanga representative had in any way publicly announced that the movement was in open conflict or rebellion with the Crown.[18] Furthermore, the Kīngitanga had in no way attempted to expand or even launch incursions into Crown-controlled territories, such as Auckland.[19] While it is not clear from the Act what the specific "murders" were, the timing of the Act's proclamation suggests that it referred to raids mounted by Kīngitanga forces in response to the initial invasion.[20] The emotive language of the Act was deliberate, particularly the description of insurgent Māori's intent to "murder", burn, and "destroy" in contrast to "innocent" and "peaceful" British subjects. This is the narrative the Crown pushed throughout the invasion. They were aware of the need to control and shape the story, just as modern counter-insurgency doctrine today dictates.

The Suppression of Rebellion Act 1863 was explicit in its denouncement of the Kīngitanga as murderers and rebels and used that narrative to advocate extreme and violent measures in order to remove them as a threat. Grey supported by the narrative with a public "Notification" issued on the 11th of August which firmly declared that "Europeans quietly living" had been "driven away", and their "wives and children" taken from them. It accused the residents of the Waikato of "threatening to come down the river to ravage the settlement of Auckland, and to murder peaceable settlers."[21]

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[17] Vincent O'Malley, *The Great War For New Zealand Waikato 1800-2000* (Auckland: Bridget Williams Books, 2016), p. 122.
[18] O'Malley, p. 119.
[19] O'Malley, p. 197.
[20] James Belich, *The New Zealand Wars and The Victorian Interpretation of Racial Conflict* (Auckland: Auckland University Press, 2013), p. 138.
[21] Grey, p. 277.

Grey's proclamation directly linked the Waikato invasion to the recent murder of Crown soldiers in Taranaki during the hostilities over the Waitara purchase.[22] The Kīngitanga had a presence during that conflict, but not enough to warrant British invasion.[23] By linking the Kīngitanga to the Taranaki conflict the proclamation presented the invasion of the Waikato as a response to a prior conflict rather than the instigation of an invasion. This political framing of the narrative allowed the Crown to present the invasion as a continuing counter-insurgency against an established "rebel." This aligns with modern counter-insurgency theory, which demands the control of public and popular discourse. The "narrative" it asserts:

> Must be a carefully crafted message which aims to strengthen the legitimacy and build the authority of the indigenous government in the eyes of the population. … The narrative aims to convince the people … can deliver a better future in terms of security, justice and material wealth.[24]

Controlling the narrative is a political tactic centre stage in James Belich's the *New Zealand Wars and The Victorian Interpretation of Racial Conflict* (2013). In it, he refers to the myriad of "paper victories" pedalled in contemporary newspapers and reports.[25] These fictionalised victories, as Belich points out, reasserted that the Crown was capable of protecting the colony. Furthermore, the Suppression of Rebellion Act 1863 advanced the Crown's attempt to legitimatise its actions by making legal provision to enact it. By shaping the narrative of the invasion, the Crown was able to control the understanding of the conflict and assert its own legitimacy. The success of the Crown's narrative is still seen in modern historiography with continued false assertions that the Kīngitanga had intended to attack Auckland prior to the Crown's invasion.[26]

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[22] O'Malley, p. 106.
[23] O'Malley, p. 108.
[24] Warfare Development, p. 13.
[25] Belich, p. 82.
[26] Clifford Simons, *Soldiers, Scouts And Spies: A Military History Of The New Zealand Wars 1845-1864* (Auckland: Massey University Press, 2019), p. 211.; Claims of plans for a Kīngitanga attack on Auckland were already

Example 2: Creating Counter-insurgency's Supportive Population

According to modern tactical theory, a supportive population is vital to winning a counter-insurgency.[27] But this can prove difficult if the local population cannot be easily won over without significant compromise by the counter-insurgent force. This was an issue faced by the Crown during the Waikato offensive. It could seize the region, but the population might yet remain unsupportive of the invaders.[28] One aspect of the solution to this was the passing of the New Zealand Settlements Act 1863.[29] The Act is infamous for its provision for the confiscation (raupatu) and alienation of Māori land during and after the Waikato invasion.[30] In debates regarding the legislation, it was suggested that the land seized might offset the significant cost of invasion.[31] In the preamble of the Act , "adequate provision" for the "security and protection of "well-disposed inhabitants "was seen as crucial to preventing future "insurrection":

> And Whereas it is necessary that some adequate provision should be made for the permanent protection and security of the well-disposed Inhabitants of both races for the prevention of future insurrection or rebellion and for the establishment and maintenance of Her Majesty's authority and of Law and Order throughout the Colony And Whereas the best and most effectual means of attaining those ends would be by the introduction of a sufficient number of settlers able to protect themselves and to preserve the peace of the Country[32]

disputed by Pākehā as early as 1864. John Gorst, *The Maori King: or the Story of our Quarrel with The Natives of New Zealand* (Tonbridge, Tonbridge Printers, 1959), p. 243.

[27] Warfare Development, p. 32.

[28] Vincent O'Malley, "Kīngitanga and Crown: New Zealand's Maori King Movement and its Relationship with the British Monarchy", in *Crowns and Colonies: European Monarchies and Overseas Empires*, ed. by R. Aldrich & C. McCreery (Manchester: Manchester University Press, 2016), p. 167.

[29] New Zealand Settlements Act 1863.

[30] O'Malley, p. 485.

[31] Brodie, George, *New Zealand Parliamentary Debates Third Parliament Legislative Council And House or Representatives: 1861 To 1863*, ed. by M. Fitzgerald (Wellington: Government Printer, 1886), p. 917.

[32] New Zealand Settlements Act 1863, p. 19.

"Security" and "protection" are paramount here, but align perfectly with a modern counter-insurgent's focus on controlling the population. [33] British command knew before the invasion that there was strong support for the Kīngitanga, and that the invasion had only strengthened that support.[34] Land confiscations left Waikato Iwi disconnected from their ancestral homes and hampered in their ability to build, and thrive in, their own economy.[35] Most significantly, their identity as Indigenous defenders, and resistors, was severely misrepresented and vilified by invading colonial fictions that were uninhibited in their claims of racial and cultural superiority.[36]

In continuing to illegally occupy stolen territory, the British then turned their attention to regaining support from a population whose lands they had seized, whose women and children they had massacred, and whose sovereignty they had assaulted and suppressed. Unable to win over the Māori population, they had to create or shape their own supportive population in the Waikato. The creation of a "supportive" population is a counter-insurgency political strategy that is as:

> [I]mportant to the insurgent as it is to the counterinsurgent. The support of the population is, however, conditional … Support may well be lost if what the counterinsurgent does seems to be detrimental to the legitimate interests of the population.[37]

In the Waikato campaign, gathering support was acutely understood and enacted through the provision of land grants for settlement, the giving of land in return for military service, and ultimately the creation of a large supportive population to assist

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[33] Headquarters Department of The Army, p. 31.
[34] Clifford Simons, *Soldiers, Scouts And Spies: A Military History Of The New Zealand Wars 1845-1864* (Auckland: Massey University Press, 2019), p. 215. British atrocities at Rangiaowhia only alienated Māori further. Vincent O'Malley, "A Tale of Two "Rangatira": Rewi Maniapoto, Wiremu Tamihana and the Waikato War", *The Journal of the Polynesian Society*, 125:4 (2016), p. 353.
[35] Sean Ellison and others, *Tainui: Oral and Traditional Historical Report* (Wellington: Ministry of Justice, 2012), p. 93.
[36] Richard Boast & Richard S. Hill, eds., *Raupatu: The Confiscation of Maori Land* (Wellington: Victoria University Press, 2009), p. 412.
[37] Warfare Development, p. 14.

with continuing to occupy and control the region.[38] An entrenched population supportive of the invading British offered another way to counter the insurgent activity of Māori.[39] This counter-insurgent tactic has an extremely long history, with a record of its application in the Bible.[40] The book of Daniel, for instance, records how the Babylonian king Nebuchadnezzar displaced much of the population of Judea throughout the Babylonian empire, replacing an antagonistic population with a supportive one.[41] This strategy suppressed insurgent uprising within a recently conquered population by disrupting the ability of local Indigenous rebels to develop a political structure or coordinate their operations.[42] Almost two and a half millennia later the British repeated the same strategy. A century later, it resides in modern counter-insurgency literature.

The security and stability promised in the 1863 New Zealand Settlements Act and the 1863 Suppression of Rebellion Act are nineteenth-century examples of explicitly political, rather than combat based, counter-insurgency military strategy in Aotearoa. These examples provide insights to how counter-insurgency theory of the day manifested in the Waikato context. Moreover, these tactical examples show modern British counter-insurgency in its embryonic form in Aotearoa. They illustrate how intertwined these approaches were with contemporary colonial policy and racial discourse of the era.

[38] Sean Ellison and others, *Tainui: Oral and Traditional Historical Report* (Wellington: Ministry of Justice, 2012), pp. 124-125.
[39] Warfare Development, p. 60.
[40] The Bible. *New International Version* (Daniel 1-2).
[41] Max Boot, *Invisible Armies: An Epic History Of Guerrilla Warfare From Ancient Times To The Present* (New York NY: Liveright Publishing, 2013), p. 15.
[42] Headquarters Department of The Army, p. 74.

Example 3: Enduring Counter-insurgency and Military Settlement

The creation of a supportive population was an important part of the strategy used by the British to suppress Indigenous "rebellion" and insurgency in 1863 Aotearoa.[43] Another aspect of that strategic focus was to "settle" more British people in the region they had just invaded. Providing stolen raupatu land to soldiers, as previously noted, was partly used to pay for the expense of the conflict. Land seized as payment for service did not prove the economic boon that had been expected.[44] It did, however, enable the Crown to lower the cost endured through the conflict. It also ensured that local infrastructure was constructed without restriction or reliance on what was there before the invasion.[45] By selecting the type of settler they wanted, the British used their settlements both as a means of creating the supportive population it needed and the military outposts required to control the region. This approach was debated in the House of Representatives, wherein caution was suggested by one commentator who called for a vigilant plan to safeguard against further "outbreaks":

> However successful we might be in marching armies through the country, however successful we might be when we met our foes, unless we took some further steps there would, on our retirement, be another outbreak such as had now taken place … They asked the Council to deal with the lands belonging to the Natives in such a manner as would be necessary to place on them such a population as would be able to take care of itself and guard for the future against outbreaks.[46]

The recognition of the need for more thoroughly entrenched local defensive capability reflects again the contemporary thinking around what counted as counter-insurgency in 1860s New Zealand. Unlike a conventional conflict that ends when the enemy is defeated, a counter-insurgency ends when the local population is supportive of the

[43] New Zealand Settlements Act 1863.
[44] O'Malley, p. 466.
[45] O'Malley, p. 383.
[46] Frederick Whitaker, p. 869.

counter-insurgent and does not need external support.[47] Also evident here is an understanding that the insurgent Māori force needed to be deprived of their resources in order for the British to mount a successful suppression.[48] In this case, land seizure removed these precious resources and seriously impacted Māori local forces to effectively execute future defensive operations.

In creating a supportive population, the British counter-insurgency approach sought to deprive the Kīngitanga of much needed assistance.[49] The Crown faced significant costs from the war and needed a cost-effective long-term solution to encourage local protection.[50] Thus, the Act explicitly prioritised settlement in the Waikato for those who gave military service:

> Contracts heretofore or hereafter to be entered into by or on behalf of the Government of New Zealand with certain persons for the granting of land to them respectively in return for Military Service … shall have been enrolled under the said Contracts respectively shall be entitled to such Town and Farm Section.[51]

By selecting those with military service to settle the Waikato, the Crown sought a strong military presence that it did not have to sustain. Military settlements such as those found in Cambridge, Alexandra (Pirongia), Kihikihi and Hamilton, allowed the Crown to control the region by positioning its population in large concentrations. The creation of these settlements meant that the Crown now had trained local "support" capable of protecting themselves.[52] But this did not account for military settlers disinterested or ill adept in farming and agriculture, many of whom abandoned the Waikato or sold the land they had been given, which left the remaining untrained

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[47] Headquarters Department of The Army, p. 97.
[48] Whitaker, p. 869.
[49] Vincent O'Malley, "Kīngitanga and Crown: New Zealand's Maori King Movement and its Relationship with the British Monarchy", in *Crowns and Colonies: European Monarchies and Overseas Empires*, ed. by R. Aldrich & C. McCreery (Manchester: Manchester University Press, 2016), p. 167.
[50] George Brodie, *New Zealand Parliamentary Debates Third Parliament Legislative Council And House or Representatives: 1861 To 1863*, ed. by M. Fitzgerald (Wellington: Government Printer, 1886), p. 861.
[51] New Zealand Settlements Acts 1863, p. 22.
[52] O'Malley, p. 450.

settlers exposed.[53] As noted in the previous chapter this led to fortifications such as the Alexandra Redoubt being built after the conflict had ended.[54]

In the Waikato, the withdrawal of British forces also eased tensions with the colonial population, which was normal protocol in other colonies as a means to establish long term order and the colonial government's legitimacy.[55]Another motive was cost. The Colonial Office in London was loathe to deploy troops to New Zealand, and saw, as applies with modern counter-insurgency theory, colonial security as the responsibility of the Colony.[56]

With British forces stretched across its sprawling empire, the Crown were not keen to see its military extended further, and this created significant challenges for both Gore-Browne and Grey in their bid to secure more troops.[57] As a short term remedy, local officials formed The Armed Constabulary, which helped alleviate the responsibilities of the Imperial forces, allowing them to be redeployed.[58] Using local personnel builds a narrative that the counter-insurgent colonial government is well supported and legitimated at a grassroots level. This is consistent with counter-insurgency theory, which encourages the recruitment of local "indigenous" personnel to enable "better control and motivation."[59] For the invading British, the creation of these local forces further secured the Waikato region while alleviating the need for Imperial troops.[60]

Establishing a local force to sustain long term security is seen as a key aspect of counter-insurgency political policy and strategy. It suggests that legitimate counter-insurgency is enforced with the support of the local population, which was not the

[53] O'Malley, p. 468.
[54] Neville Ritchie, *The Waikato War of 1863-64, A Guide To The Main Events And Sites*, (Wellington: Department of Conservation, 2007) p. 25.
[55] Adam Davis, 'The Imperial Garrison in New Zealand, 1840-1870 With Particular Reference to Auckland' (PhD thesis, University of Luton, 2004), p. 19.
[56] Headquarters Department of The Army, p. 34. Davis, pp. 69-70.
[57] O'Malley, p. 350.
[58] O'Malley, p. 367.; O'Malley, p. 350.
[59] Headquarters Department of The Army, p. 101.
[60] Davis, p. 240.

case in the British invasion of the Waikato. The military outposts and longer term settlements created by The Settlements Act 1863 aligned with the creation of local militia to both legitimise the Crown and secure the region without the need for an expensive military presence.[61] Popular support, while manufactured by importing armed settlers into the Waikato, proved for a time to be a stabilising presence despite other armed conflicts in the colony.[62] The Waikato even after the 1860s, as Keith Sinclair writes, was still a dangerous place akin to the "Wild West".[63]

Example 4: The Compensation Court and Legitimacy

For a counter-insurgency strategy to work it must rely on legitimising its own forces as the rightful government power, whose authority is "genuine and effective and is used fairly and legally."[64] While the invading British had managed to import a local supportive population with a military presence, that was able to defend itself, its legitimacy was built on illegally seized land.[65] While land seizure was politically sanctioned, there was the constant question of how legitimate these seizures were.[66] The Crown could not take just any land, legitimately.[67] The "rebels" were still "British subjects" with "all the rights citizenship" entailed, including protection of property.[68] Furthermore, the invasion had, like most counter-insurgency operations, not differentiated unaligned iwi from Kīngitanga forces and had seized the entirety of the Waikato.[69] Thus with the Crown needing to appear legitimate and to avoid further

[61] New Zealand Settlements Act 1863, p. 22.
[62] O'Malley, p. 358.
[63] Keith Sinclair, *Kinds of Peace: Maori People After the Wars, 1870-85* (Auckland: Auckland University Press, 2013), p. 69.; The volatile nature of the Waikato Region was also noted by soldiers deployed to Alexandra (Pirongia), F. J. W. Gascoyne, *Soldiering in New Zealand* (London: T. J. S. Guilford & Co., 1916), pp. 117-118
[64] Warfare Development, p. 12.
[65] Martin Fisher, 'The Politics of History and Waikato-Tainui's Raupatu Treaty Settlement', *New Zealand Journal of History*, 50.2 (2016), 68-89, (p.74).
[66] Richard Boast & Richard S. Hill (Eds), p. 292.
[67] Waikato Raupatu Claims Settlement Act 1995, p. 13.
[68] *Te Tiriti o Waitangi*, 1840.
[69] Richard Boast & Richard S. Hill (Eds), p. 194.

grievances, the Settlements Act also provided a means of redress in legislation.[70] Compensation Courts were thus introduced under Section 5 of the New Zealand Settlements Act 1863, which prescribed that:

> V. Compensation shall be granted to all persons who shall have any title interest or claim to any Land taken under this Act provided always that no compensation shall be granted to any of the persons following that is to say to any person … For the purpose of determining claims for compensation. Under this Act there shall be established Courts to be called "Compensation Courts."[71]

Compensation Courts were an attempt to assert British legitimacy rather than apply equitable or fair justice. But the Crown reserved the right to replace any judge at will, who undermined the Court's pretense of any fair or equitable process.[72] The outcome, as Vincent O'Malley writes, meant that "not only would 'loyalists' not have their lands fully restored, but potentially they stood to receive no land, being forced to accept cash instead."[73] Despite promises in Grey's proclamation that "loyalists" land was protected, it appears that a supportive settler population was more of a priority for the Crown than the return of unlawfully seized land to the Indigenous Māori owners.[74] O'Malley writes of the significant anger such dispossession caused Māori, noting that "formerly 'loyalist' groups, angered at the confiscation of their lands, threatened to join with their Kīngitanga kin and prolong the war."[75] In the face of this threat, the Crown used the "Compensation Court" to address the angered party's grievance - a counter-insurgency strategy also noted in the *FM 3-24* manual.[76] The

[70] Warfare Development, p. 73.
[71] New Zealand Settlements Act 1863, pp. 20-21.
[72] New Zealand Settlements Act 1863, p. 21.
[73] O'Malley, p. 474.
[74] Richard Boast & Richard S. Hill, p. 327
[75] O'Malley, p. 475.
[76] Headquarters Department of The Army, p. 53.

"Compensation Court" eventually returned up to 280,000 acres out of the 1,202,172 acres seized.[77]

The grievous miscarriage of justice carried out via the Compensation Courts left Māori socially and economically disadvantaged for generations.[78] Clearing Indigenous populations from their homelands was not new to British invaders. During the clearances of Native Americans from their homelands in North America, for instance, British colonists, now calling themselves Americans, had ruthlessly conducted removals from the 1830s through to the 1850s; long before the Waikato invasion.[79] While it might be comforting to see the "Compensation Court" as an attempt at justice or humanitarianism on the part of the Crown, an attempt to gain legitimacy is a far more effective explanation. The courts were effective for the British, and a core aspect of their suppression strategy because the legal process worked to legitimise the Crown as the governing power. "Planners" of counter-insurgency today are thus encouraged to "assess the rule of law" in considering the "end state" and what that might look like for the host nation.[80] Thus, "while the form of the rule of law among different states may differ markedly, the effects should be similar.[81]

Some of these effects allow the counter-insurgent to "monopolise the use of force" and ensure that their population can "rely on the existence of justice institutions."[82] By asserting itself as the sole entity that can legitimately use force, the counter-insurgent is able to force insurgents who wish to promote their own legitimacy to use the counter-insurgent's legal system.[83] Thus, the insurgent is forced to operate on the counter-insurgent's terms, and this is exactly what happened in the Waikato. Through asserting their own legal system, the British "counter-insurgent"

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[77] O'Malley, p. 490.
[78] Boast & Hill, p. 410.
[79] Andrew Woolford, Jeff Benvenuto and Alexander Laban-Hinton, *Colonial Genocide In Indigenous North America* (Durham NC: Duke University Press, 2014), pp. 134-141.
[80] Warfare Development, p. 213.' Warfare Development, p. 149.
[81] Headquarters Department of The Army, p. 178.
[82] Headquarters Department of The Army, p. 178.
[83] Headquarters Department of The Army, p. 178.

force created the process for reparations which it used to further suppress insurgent Māori. The legal pathway created by the Crown in 1863, and Māori participation in it, was part of a contemporary strategy to suppress Māori and simultaneously legitimise British power. Over a century later, the Crown officially apologised for its illegal invasion and unscrupulous land theft.[84]

Summary

This chapter examined how specific "political" modern counter-insurgency tactics were evident in the approaches of Māori and British forces during the 1863 invasion of the Waikato. It showed how the "narrative" of murderous Māori "rebels" was carefully crafted by the British as a political strategy designed to secure their own legitimacy and sanction the use of violence. This chapter considered the use of counter-insurgency political tactics in four examples. The first looked at how the Suppression of Rebellion Act 1863 and Grey's proclamation of the same year were used to push a public narrative of Kīngitanga Māori as insurgent "rebels" and the British Crown as the legitimate counter-insurgent power. By linking the Kīngitanga to the Taranaki conflict, the proclamation also presented a narrative of protection, not invasion. The second example showed how The Settlements Act 1863 related to a modern political counter-insurgency strategy focused on the establishment of a supportive local population. This could both starve an insurgent Kīngitanga force of its support (which it did), but also provide crucial future defensive capability for long term British control of the region.

The third example looked at how legitimacy was gained through enduring settlement, and the selection of the "settlers" British wanted in their "supportive population." The establishment of long-term military outposts reflected modern counter-insurgency theory, as did the Settlements Act 1863, which aligned with a

[84] Belich, p. 200.; Waikato Raupatu Claims Settlement Act 1995, p. 13.

political strategy designed to present the Crown as a capable and legitimate force. In the final example, this chapter showed how the creation of the 1860s' Compensation Courts were akin to a modern counter-insurgency political tactic focused on creating a legal pathway that forces the insurgent to participate ("consent"), and thereby legitimise the counter-insurgent legal system. The Native Land Courts, as this chapter argued, were also brutally effective, and core aspect of the British suppression and legitimisation strategy. These examples illustrated counter-insurgency in action in the British "political" narrative and legislation that informed and drove the 1863 invasion of the Waikato. They indicate that there was a coherent political counter-insurgency strategy present during the Waikato invasion of 1863, and that it was intended to legitimise British power and control.

Chapter 6: Conclusions, Counter-insurgency and the Waikato

This thesis set out to answer two questions about the Waikato invasion of 1863-1864. The first is whether a counter-insurgency strategy was employed by the Crown. The second whether the strategy was employed intentionally. These questions were intended to examine explanations for the Crown's actions during the Waikato invasion beyond the usual narrative of seizing land for financial gain. The examination described in this thesis was intended to unite the ordinarily insular field of military history with more mainstream works such as those by Cowan, Belich, and O'Malley. Counter-insurgency theory was chosen as the means to examine the Waikato invasion since it combines military, political, social, and economic considerations in a single cohesive approach. As a result, it addresses these factors from a tactical to strategic level and allows for an interconnected view of the conflict. The application of counter-insurgency theory also allowed consideration of legislation, such as the New Zealand Settlements Act 1863, from a security and legitimacy perspective. Due to the very broad and complex nature of the Waikato invasion, the scope of this thesis was narrowed to focus on the Crown's perspective of the invasion, which limited it from exploring Māori perspectives. While those perspectives are an essential part of the Waikato invasion, including them in this thesis go beyond the scope of this work. Notwithstanding that, limiting the scope to the Crown's perspective allowed for a clearer application of counter-insurgency theory since it only had to address one side of the conflict. Counter-insurgency theory itself was examined in the first chapter.

Summary of Chapter 1: Introduction to Counter-insurgency Theory

The focus of counter-insurgency is to influence a supportive local population and establish legitimacy. Legitimacy in a counter-insurgency context was defined as "a

population's acceptance of its government's right to govern or of a group or agency to enforce decisions".[1] This definition means that when Crown forces invaded the Waikato, they had to establish a justification for their actions and demonstrate their ability to carry out their intent. It does not mean that Crown forces were the rightful government of the Waikato but that they removed any plausible alternative to their governance. Legitimacy was won through coercive means, such as invasion and imprisonment, and consensual methods, such as demonstration of good governance. A supportive local population is vital to a counter-insurgency since it removes the insurgent's support network. This limits the ability of an insurgent force to recruit new members or gain supplies and intelligence from the population. The insurgent is removed from the population through the method of clear, hold, build. In the "clear" phase the insurgent force is removed from the region. "Hold" sees the counter-insurgent force prevent the re-infiltration of insurgents into the region. "Build" manufactures support from the local population by providing governance and assistance to the population, winning it over through consensual means. A counter-insurgency cannot be won without separating the insurgent from the local population and gaining legitimacy and support from that population. The Malayan Emergency and the First Anglo-Afghan War were presented as examples of how and how not to conduct a counter-insurgency respectively. Therefore, Chapter 1 demonstrated that counter-insurgency is an asymmetric war and there are parallels to the Waikato Invasion.

Summary of Chapter 2: Counter-insurgency and Force Composition

During the Waikato invasion, Crown and Kīngitanga forces were vastly different in their force structure and tactical approach. These differences were compared to demonstrate how the Crown was oriented towards a counter-insurgent role, while the

[1] Warfare Development, *British Army Field Manual Volume 1 Part 10: Counterinsurgency* (London: Ministry of Defence, 2009), p. 12.

Kīngitanga was forced to accept the asymmetry of the conflict with an insurgent response. The approaches of the two parties were most evident in the first three months of the conflict. Crown forces had the advantage of a significantly larger force of some 15,000 troops. However, bureaucratic complications of the command structure and a heavy reliance on logistical support left the Crown sluggish and exposed. This allowed the Kīngitanga, with a much more flexible and agile iwi based command structure and small logistical demands, to strike the vulnerable Crown logistical infrastructure, such as Camerontown, in the early months of the war to such an extent that the Crown's invasion was halted. Actions such as the attack on Camerontown demonstrated the skill of the Kīngitanga at asymmetric warfare, while the Crown's scramble to protect its supply lines revealed its more defensive counter-insurgent approach, even as it invaded. As the Crown advanced with engagements at Meremere, Rangiriri and finally Orakau, the Kīngitanga shifted its approach to more conventional methods. This shift removed many of the Kīngitanga advantages in having a lightly armed and flexible force skilled at asymmetric warfare. However, the Kīngitanga focussed on force preservation, with battles such as Rangiriri allowing most of the force to evacuate before its contested fall. Despite being outranged, outgunned, and outnumbered the Kīngitanga managed to preserve its forces; this is an important trait of an insurgent force. Crown forces, meanwhile, aimed at creating decisive engagements to clear the Kīngitanga from the Waikato; their heavy focus on artillery was an example of this that bore parallels to a counter-insurgent approach. Even so, the forces engaged in the Waikato were only one part of the Crown's counter-insurgency strategy for the region. During the Waikato invasion the Crown took a counter-insurgent approach while the Kīngitanga took an insurgent approach.

Summary of Chapter 3: Counter-insurgency and Legitimising Colonial Invasion

In 1863 the Kīngitanga was the greatest threat to the Crown's legitimacy to govern New Zealand. This threat came from reactions to the Crown's attempt to expand the

settler population of New Zealand through providing the new arrivals with land. The Crown's expansionist approach led to concern among Māori as they faced dispossession and alienation from their land. The Waitara purchase led to the First Taranaki War in 1860 between Wiremu Kingi and the Crown; the newly formed Kīngitanga supported Kingi, although not militarily. The Crown responded to the formation of the Kīngitanga with an attempt to establish its own legitimacy at the Kohimarama conference of the same year by appealing to Iwi to support the Crown's actions in Taranaki. While the Kīngitanga did not represent a military threat to the Crown, it did represent a challenge to the Crown's assertion of sovereignty in New Zealand. The Kīngitanga position of "The King on his piece; the Queen on her piece; God over both; and love binding them to each other" was a threat to the colonising government who asserted sovereignty over the entire North Island.[2] Furthermore, a parallel Māori government could only weaken the Crown's ability to gain legitimacy by offering an alternative. It was this quest for unopposed sovereignty that put the Crown at odds with the Kīngitanga. An invasion of the Waikato was planned by the Crown for execution in 1861 but not carried out. When the 1863 invasion occurred, it was after significant effort by the Crown to delegitimise the Kīngitanga. Grey's proclamation on the 11th of August 1863, where the Kīngitanga was equated to "rebels" and "murderers", was the culmination of this effort.[3] Two important pieces of legislation for the invasion were the New Zealand Settlements Act 1863 and the Suppression of Rebellion Act 1863. The debate around the legislation demonstrated a clear understanding of counter-insurgency strategy in the New Zealand House of Representatives. The legislation allowed the demonisation and dispossession of Māori in the Waikato. After the invasion, the creation of military settlements manufactured a supportive local population to displace the rightful Māori inhabitants and secure the region for the Crown. Thus, the Waikato was seized. We can conclude

[2] Vincent O'Malley, *The Great War For New Zealand Waikato 1800-2000* (Auckland: Bridget Williams Books, 2016), p. 86.
[3] George Grey, 'Notification To The Chiefs Of The Waikato', *New Zealand Gazette* 15 July 1863, pp. 277-278.

from Chapter 3 that the Crown knowingly acted as a counter-insurgent force and established legislation to legitimise that approach.

Summary of Chapter 4: Military Counter-insurgency Examples in the Waikato

Notwithstanding the potential for a researcher's subjectivity to present a trend that does not exist, primary sources were used in this thesis to demonstrate that the Crown recognised counter-insurgency principles. Four case studies were applied to compare primary sources from the Waikato invasion with counter-insurgency doctrine from *AFM 1-10* and *FM 3-24*. Chapter 4 focussed on military case studies to demonstrate that Crown forces understood counter-insurgency principles and applied them. The first example examined how James Alexander's description of the counter-ambush efforts of Crown forces bore parallels to *AFM 1-10*. The focus on route clearance for logistics mirrored the guidance from the counter-insurgency manual, which warned that logistical operations would be exposed to insurgent attack. The second example considered a statement by Gustavus Von Tempsky regarding the significant difficulties associated with the harassing attacks delivered by the Kīngitanga, which noted the constant threat posed by them. This statement matched assertions in counter-insurgency literature that the threat from an insurgent force was "all pervasive" and that a counter-insurgent force needed to be constantly on guard.[4] Lieutenant Colonel Havelock's report on the Mangapiko Ambush demonstrated the comparative security felt by Crown forces having cleared the Kīngitanga from the area. Havelock's report also documented the rapid reaction from supporting encampments and the rapid withdrawal of the Kīngitanga forces when outnumbered. The action at Mangapiko closely related to principles found in *FM 3-24* that call for continual vigilance, having cleared an area, to stop re-infiltration by an insurgent force. It also demonstrated the use of a Quick Reaction Force in the form of the

[4] Warfare Development, p. 104.

supporting force that countered the ambush. Furthermore, the rapid withdrawal by the Kīngitanga forces followed the force preservation approach used by insurgent forces. The final military example was Grey's proclamation. Despite largely being a political address, the proclamation laid out the concept of securing a region through the construction of redoubts along the Waikato River to control movement in the region. The modern equivalent of one of those redoubts is a Forward Operating Base (FOB). An FOB protects counter-insurgent forces while allowing them to operate in a contested area. They are used in counter-insurgency actions to control an area's population and to provide security. Grey's proclamation demonstrated that he understood this principle of counter-insurgency. The establishment of fortifications such as the Alexandra Redoubt illustrated how this understanding was practiced. The key conclusion to be drawn from the chapter, as demonstrated by the four case studies, is that Crown forces understood the military application of counter-insurgency. Further case studies demonstrated that the Crown understood and applied the political nature of it too.

Summary of Chapter 5: Political Counter-insurgency Examples in the Waikato

Political primacy in counter-insurgency is caused by the requirement for legitimacy. If a government cannot assert legitimacy, it cannot adequately govern and it cannot gain the support of the population. Without local support, the counter-insurgent will never manage to quell an insurgency. Therefore, a counter-insurgent must gain legitimacy while delegitimising the insurgent. The case studies described in Chapter Five examined how the Crown attempted to delegitimise the Kīngitanga and legitimise itself as it created its own supportive population. The first of the case studies examined the Suppression of Rebellion Act 1863. Not only did the Act strip away basic rights for Māori, but it also used extremely emotive language, notably declaring them "rebels". *AFM 1-10* observes that controlling the narrative is key to gaining legitimacy in a counter-insurgency. By positioning the Kīngitanga as "rebels",

the Crown asserted that it was the rightful government over the region and that the Kīngitanga was not. When the Crown applied this counter-insurgency strategy it clearly understood the primacy of politics in a counter-insurgency campaign. Moreover, it demonstrated that the Crown practiced this understanding during the invasion. The New Zealand Settlement's Act provided the next case study. The Act noted that the introduction of settlers into the Waikato would be "the best and most effectual means" of ending the conflict.[5] These settlers would be loyal to the Crown and, more importantly, they would displace any substantial support for the Kīngitanga in the Waikato. This created a population supportive of the Crown in the heart of the Waikato. Counter-insurgency requires a supportive population to secure a region. The wording of the Act demonstrated that this counter-insurgency principle was recognised and practiced by the Crown during the invasion. The third example combined the Settlements Act with a speech by Fredrick Whitaker on the 16th of November 1863. The Settlements Act and Whitaker both noted that to secure the Waikato for the Crown there needed to be settlements capable of providing their own security. This was realised when seized land was prioritised for settlers with military service. *FM 3-24* noted that a counter-insurgency eventually needs to transition to a self-sustaining local force. The local militias and military settlements created in the Waikato showed that the Crown had intended to create these self-sustaining militia to control the Waikato. The last of the case studies examined the Compensation Courts established by the Settlements Act. The Compensation Courts were theoretically enacted to allow Māori who had been dispossessed during the invasion to reclaim their land. In practice, the system proved extremely slow and failed to deliver just rulings. However, it did cause dispossessed Māori to come to the Crown to seek redress. In counter-insurgency, the judicial system plays a vital role. An effective judicial system allows the counter-insurgent to legitimise itself by providing effective governance. Furthermore, it prevents those dispossessed from turning to the

[5] New Zealand Settlements Act 1863 (27 Vict No.27, 3 December 1863), p. 20.

insurgent for restitution. The establishment of the Compensation Courts demonstrated that the Crown recognised the effectiveness of the judicial system in a counter-insurgency campaign. The Waikato invasion was won for the Crown on the battlefield but overall "victory" was secured politically. The conclusion to be drawn from Chapter Five is that through the legislation established by the Crown and the response of Māori to seek redress through that legislation, the Crown had intended to establish legitimacy for itself in the Waikato.

Final Conclusions and Further Work

This thesis has demonstrated that the Crown intentionally applied a counter-insurgency strategy during the Waikato invasion of 1863-1864. This was demonstrated through the Crown's approach to the conflict, such as the implementation of counter-insurgency tactics and efforts to manufacture legitimacy in the Waikato. However, this was only a narrow application of counter-insurgency theory that focused on the Crown's perspective. Examining the devastating and ongoing impact of the Waikato invasion on Māori in a counter-insurgency context is crucial to further understanding of how counter-insurgency theory can be applied to consideration of the invasion. Counter-insurgency theory, when applied to a colonising force, has the potential to give further insights into understanding the mechanism of colonisation, not only in New Zealand but in all nations that have been colonised. Concepts such as the need for legitimacy and the creation of a supportive population provide further motive to colonisation efforts and the silencing of Indigenous voices. By combining the social, economic, political, and military elements of a conflict, counter-insurgency theory can present a unified view of a conflict in a clear structure. By combining these elements, the theory provides an alternative lens to the history of colonisation and can bridge the gap between other theoretical approaches to history. However, the application of counter-insurgency theory to historical conflicts must be tested further to expose its potential flaws. Furthermore,

the application of counter-insurgency theory should be fully investigated to examine the response of Indigenous peoples to colonisation before the theory can be confirmed as an effective alternative lens to the history of colonisation.

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