

Bain Attwood

*'A Bloody Difficult Subject': Ruth Ross, te Tiriti o Waitangi and the Making of History*

Auckland: Auckland University Press, 2023, 320pp.

## A Nation *Still* in Search of a New History

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Emma Gattey

Pākehā historian Ruth Ross is the hook for *'A Bloody Difficult Subject': Ruth Ross, te Tiriti o Waitangi and the Making of History*. But this book is a genealogy of national proportions, charting the reception and reinterpretations of Treaty history by the Pākehā academy. In this regard, I would recommend it to all students of New Zealand historiography. But the book cannot stand alone. It scarcely gestures to other formative practitioners of history. This is simply not a justifiable choice. Specifically, Bain Attwood tries to annihilate an origin story of the nation, critiquing what he calls 'foundational' histories of te Tiriti o Waitangi/the Treaty of Waitangi. In its place, he provides an excellent narration of the mainstream strand of Treaty historiography: that written from a perspective that prioritises Pākehā experiences and ideas. In so doing, Attwood implies that this is the only strand that matters. He is wrong.

In approaching each of his titular subjects, Attwood tracks the relationship between three 'lives' of history: the cloistered life, which 'the discipline ... enjoys in universities'; the public life, or 'the discussions and debates that occur about history in the public domain'; and the private life, or 'the role that the human psyche plays' in the lives of the discipline and

its practitioners.<sup>1</sup> Questionable decisions are made at each of Attwood’s analytical levels—the cloistered, public, and private—rendering his sources and analysis incomplete. In serving his reader with a traditional intellectual history, the main flaw of Attwood’s survey is its failure to take seriously the work of Māori intellectuals, even those who conform to his preconception of what counts as history, let alone *kōrero tuku iho* or *mātauranga Māori*. This review problematises Attwood’s selection of ‘representative’ histories by putting his book in dialogue with recent works of global history, public histories of *te Tiriti*, and *mātauranga Māori*. Although academic historians like Attwood (and myself) may be less comfortable with *mātauranga Māori* than the discipline’s conventional forms of knowledge, all of these works provide a vital counterpoint to the mainstream of Treaty historiography and they advance Attwood’s imperative of ‘sharing histories’.

## High-stakes History

Part One focuses on Ross’s writing about the Treaty. Part Two considers the reception of her influential 1972 article—‘*Te Tiriti o Waitangi: Texts and Translations*’, published in the *New Zealand Journal of History*.<sup>2</sup> Attwood explores how this article, alongside other factors, influenced the academic and public story told about the Treaty from the 1980s, particularly by the Waitangi Tribunal. Part Three gets meta-historical, asking big questions about ‘the lives of history and democracy in New Zealand’. Within this simple structure, Attwood’s key interventions are as follows: Ross’s groundbreaking article did not originate in the early 1970s, but in the 1950s; historians have ‘overlooked’ the uniqueness of Ross’s attention to the Treaty texts; and this article was ‘one of the most influential pieces of work a New Zealand historian has ever written’.<sup>3</sup> His main myth-busting moment,

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1 Bain Attwood, *A Bloody Difficult Subject: Ruth Ross, te Tiriti o Waitangi and the Making of History* (Auckland: Auckland University Press, 2023), xii–xiii. The first two are borrowed from Dipesh Chakrabarty, and the third is his own neologism.

2 Ruth Ross, ‘*Te Tiriti o Waitangi: Texts and Translations*’, *New Zealand Journal of History* 6 (1972): 129–57.

3 Attwood, *Bloody Difficult*, 18; 63; 89.

however, is debunking the common assumption that Ross's principal argument in this 'canonical' article was that the Māori text constituted the authoritative version of the Treaty. Complaining that 'even a cursory' reading of her article challenges this myth, Attwood argues that Ross's 'major' argument was that the differences between the texts showed that the Treaty was a mess; it could not be interpreted, let alone honoured. This argument, Attwood contends, was conveniently forgotten by the Waitangi Tribunal and other pro-Māori historians.<sup>4</sup>

Working with an enviably rich archive, Attwood does an admirable job of showing how Ross bucked trends and prefigured academic methods. He offers an almost sensory sense of people and places, highly attuned to institutional politics and intellectual trends. Attwood's professional skills are in full flight when he traces relations of patronage, mentorship, quiet desperation, praise, and backbiting. The part of his book devoted to Ross and her writing is remarkably alive. She is portrayed as a full, complex human: fallible, obsessive, forthright, and an incorrigible workaholic, running herself into the ground with 'Waitangi-itis'.

In restoring Ross to what Attwood perceives as her rightful place in the intellectual pantheon, the book occasionally reflects on the professional limitations faced by Ross's generation of women. Her family life, however, is of less interest to Attwood than Ross's working relationships with male luminaries such as J. C. Beaglehole, Keith Sinclair, and James K. Baxter. Attwood's recurring refrain is that Ross was 'her own worst enemy'. While Ross was clearly generous to a fault, helping many historians instead of advancing her own work, Attwood implies that it was not so much structural sexism as poor choices that hampered her career.<sup>5</sup> In this respect, Attwood's psyche-digging can make for a depressing read. But then comes the gorgeous whiplash of Ross's own voice, facing off in angry correspondence with her mentors and even penning a 'hopping mad' poetry slam in response to a Baxter poem that maligned her. Alongside her self-deprecation, Ross was brave and resolute in her expletives. 'The very use of the figure of woman

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<sup>4</sup> Attwood, *Bloody Difficult*, 85–88.

<sup>5</sup> Attwood, *Bloody Difficult*, 47; 55; 73.

as the point of reference for a historiographic investigation,' Betty Joseph once wrote, 'can transform the premises and blind spots of the dominant history that has marginalized women' in myriad ways.<sup>6</sup> I wish this were one of those transformative histories.

The book shifts registers after the first part. Attwood's close readings begin to induce claustrophobia. Overladen with detail, they offer a tour of Pākehā historiography, hinging on Ross's misread article. The book morphs into Attwood's thesis on the incommensurability of Indigenous history and unadulterated 'history'.<sup>7</sup> Māori, as generic group, are collectively singled out for 'deliberately ... telling stories that often rest on a blend of history, the common law, oral tradition, myth and mātauranga Māori'.<sup>8</sup> Attwood implies that Māori have unreasonably rejected the disciplinary norms and authority of history, instead imposing '*their* ways of knowing the past' on Pākehā.<sup>9</sup>

At the heart of this book is a battle between 'foundational' and 'post-foundational' histories. The former is, in Attwood's terms, an historical work 'in which writers try to discern in a particular event or text ... some norm or another that they believe created or should have created the foundations of a nation, or which they hope could re-found the nation on a more legitimate basis'. He slams 'nearly all' Treaty histories as wishful thinking, which fail 'to adequately represent the past on its own terms'.<sup>10</sup> We might ask: who forged this 'foundational' account of the Treaty as a 'noble agreement' of perennial importance in the nation's history? Attwood blames the Waitangi Tribunal, the courts, Māori advocates, legal scholars,

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6 Betty Joseph, *Reading the East India Company 1720–1840: Colonial Currencies of Gender* (Chicago: University of Chicago Press, 2003), 2.

7 Indeed, much of the theoretical content of parts two and three is very similar to Bain Attwood, *Telling the Truth About Aboriginal History* (Sydney: Allen & Unwin, 2005).

8 Bain Attwood, 'E oho! Ruth Ross, History, Law and te Tiriti o Waitangi', 17 May 2023, National Library of New Zealand.

9 Attwood, 209, citing Nēpia Mahuika, "'Closing the Gaps": From Postcolonialism to Kaupapa Māori and Beyond', *Journal of New Zealand history* 45, no. 1 (2011): 15–32, emphasis in original.

10 Attwood, *Bloody Difficult*, 190.

and ‘complicit’ academic historians, spurred by ‘the same interpretive thrust’, bolstered by Ross’s minor argument that the Māori text was *the* Treaty.<sup>11</sup> Sir Eddie Durie, former Chairman of the Waitangi Tribunal, is singled out as ‘primarily responsible’ for ‘revolutionising the place of the Treaty in New Zealand law, society and politics’.<sup>12</sup> Attwood complains that under Durie’s leadership, ‘Māori history came to be important in the stories the Tribunal heard’, with Māori history defined by Attwood in this context as ‘accounts in which Māori people, their perspectives of the past, and their ways of being in history are foregrounded’.<sup>13</sup> Readers might be forgiven for wondering why this privileging of such accounts is a bad thing.

The whole book builds up to this point about Māori foundational histories: corroborating Attwood’s earlier calls for a *post*-foundational history, or ‘a truly historical account of the Treaty’.<sup>14</sup> Premised on the contingency and instability of knowledge, his post-foundational approach ‘historicises the past in such a way that it unsettles any notion of the past being comprised of self-same essences over time’. Instead, the post-foundational approach reveals knowledge as ‘constructed by historical processes and relationships, especially relationships of power’.<sup>15</sup> Thus, Attwood argues, post-foundational history ‘does not make the mistake of claiming ... that the Treaty has always been central in New Zealand’s history’. By taking contestation for granted, such history does not essentialise the Treaty or its signatories as homogeneous, unchanging subjects, recognising a dialogically formed ‘range of interpretive positions’.<sup>16</sup> In summary, Attwood wants historians to trace how different political and legal arguments about the meaning and implications of the Treaty have functioned throughout time in New Zealand society. His problem with foundational histories is that they take a particular legal interpretation of the Treaty, which gained

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11 Attwood, *Bloody Difficult*, 113; ‘Professor Bain Attwood: Keith Sinclair Memorial Lecture 2023,’ *YouTube*, 22 June 2023.

12 Attwood, *Bloody Difficult*, 116.

13 Attwood, *Bloody Difficult*, 117.

14 Attwood, *Bloody Difficult*, 190–91.

15 Attwood, ‘Post-Foundational History,’ 100.

16 Attwood, *Bloody Difficult*, 191–4.

political traction at one point in time, as the normative framework for evaluating the Treaty and historical debates about it.

Attwood carefully marshals his evidence to conclude that ‘sharing histories’ is essential. Borrowed from the Council of Aboriginal Reconciliation, this project sees history not as ‘a singular story ... underpinned by one kind of knowledge about the past’, but accepts that ‘historical narratives are told by people who are differently situated or positioned and who produce different kinds of knowledge about the past’. He contends that sharing histories allows the dialogical construction of ‘a new kind of common history’ instead of ‘a situation in which either Māori or Pākehā demand that the other submit to their narratives, the forms in which they tell them, and their kinds of knowledge’.<sup>17</sup> *A Bloody Difficult Subject* ultimately settles into precisely the latter situation: a cumulative demand for submission to European historical narratives, forms, and knowledge traditions. The history ‘sharing’ we are treated to comes largely from a Pākehā elite. Attwood undertakes no real engagement with mātauranga Māori, its practitioners, or any Māori intellectuals at all. As theorised here, post-foundationalism pretends to embody ‘sharing histories’ but is in fact monocultural, monolingual, and monojural.

If Ross is our hero, the unexpected antagonist of the story is Dame Claudia Orange. Despite claiming to write an atypical history of the Treaty, in the sense of not seeking ‘to advance a particular interpretation’, Attwood’s history is premised on its antagonism to that written or influenced by Orange.<sup>18</sup> As part of the discipline’s defence, Attwood accuses the doyenne of ‘foundational’ Treaty historians of crossing the ‘razor-thin line that separates historical scholarship from political advocacy’.<sup>19</sup> In itself, and if more evidence were presented, this might be a fair critique.<sup>20</sup> But Attwood’s writing is inflammatory. He takes pleasure in iconoclasm.

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17 Attwood, *Bloody Difficult*, 211–12.

18 In public events, he has been more scathing. See Attwood, ‘E oho!’.

19 Attwood, ‘Post-Foundational History’, 94; Attwood, *Bloody Difficult*, 203. Dame Judith Binney also comes in for heavy criticism.

20 He fails, however, to convincingly show why Ross’s work, or his own, does not cross this same line.

Again and again, Orange is raked over the coals for altering her historical evidence and interpretation between her 1984 doctoral thesis and its publication as the ground-breaking *The Treaty of Waitangi* (1987). On her journey to becoming ‘the Treaty historian’, Attwood underscores that Orange was ‘profoundly influenced’ by Ross and adopted ‘very Rossian’ lines of argument, an indebtedness that ‘faded from view with the passing of time’.<sup>21</sup> With great hyperbole, Attwood adds, ‘Patricide and matricide are common among scholars’. This whole section is nasty. It gets worse in the endnotes. Citing personal communication with Orange, Attwood speaks over her, casting aspersions on Orange’s account of her own writing. He writes, ‘Orange attributes the change I note ... to further research she conducted for her book, but I doubt this is a sufficient explanation for it’.<sup>22</sup>

Repelled by the redemptive arc of Orange’s ‘new constitutional history of the New Zealand nation state’, Attwood takes issue with her inclination ‘to assign enormous *historical* authority’ to legal interpreters of the Treaty’s legal meaning and implications.<sup>23</sup> As Orange’s obeisance to legal scholarship increased, ‘the attention she had paid to Māori history diminished’, omitting evidence she had presented in her thesis and failing to distinguish iwi-specific views of the Treaty, such that ‘Māori views tended to be represented as though they were uniform’.<sup>24</sup> The final word: Orange’s book ‘became a powerful instrument for change in the public realm at the same time as a good deal of the historical richness of her thesis can be said to have been lost’.<sup>25</sup> Attwood’s reading of Orange is wrong. Too focused on uncovering (perceived) academic chicanery, he reads her in bad faith. I am unsure how Attwood has read, say, chapter 11 of *The Treaty of Waitangi* as paying ‘diminished’ attention to Māori history.<sup>26</sup> His historical critique of

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21 Attwood, *Bloody Difficult*, 110, 127–128.

22 Attwood, *Bloody Difficult*, 129–30, n26.

23 Attwood, *Bloody Difficult*, 130, 131–132.

24 Attwood, *Bloody Difficult*, 133.

25 Attwood, *Bloody Difficult*, 134.

26 Claudia Orange, *The Treaty of Waitangi* (Wellington: Allen and Unwin/Port Nicholson Press, 1987), 226–254.

Orange merely conjures up C.K. Stead’s entitled indictment of the ‘bullying books’ of contemporary historians such as Orange, books ‘in which the past is ransacked’ to bolster presentist accounts of racism or sexism.<sup>27</sup> These are political critiques, not academic ones. At times, this smear campaign reads as though Attwood is trying to launch a New Zealand version of the ‘history wars’, one riven with vitriol.<sup>28</sup>

## Politics of Law

Attwood is similarly dismissive of Ned Fletcher’s recent scholarship for falling in line with Orange’s ‘conventional position’ and resembling ‘juridical history’.<sup>29</sup> A term often used to describe history written by the Waitangi Tribunal, juridical history refers to ‘a mode of representing the past so as to make it available to legal or quasi-legal judgement in the present’.<sup>30</sup> In contrast to Anne Orford’s recent monograph, *International Law and the Politics of History*, this book is transfixed by the politics of law in history.<sup>31</sup> Attwood’s analysis of the Waitangi Tribunal and many historians is governed by a strong ‘hermeneutic of suspicion’—an *a priori* suspicion towards your opponents’ use of norms, methods, or arguments, whereas the ones that you adopt are taken to be objectively grounded.<sup>32</sup> For Attwood, whether told by historians or the courts, ‘juridical history’ is a ‘liberal

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27 C.K. Stead, ‘The New Victorians’, *Metro* (Feb 1989), 119–124

28 See Ann Curthoys and John Docker, *Is History Fiction?*, 2<sup>nd</sup> ed. (Sydney: University of New South Wales Press, 2010), 220–237.

29 Attwood, *Bloody Difficult*, 189; Ned Fletcher, *The English Text of the Treaty of Waitangi* (Wellington: Bridget Williams Books, 2022).

30 Andrew Sharp, ‘History and Sovereignty: A Case of Juridical History in New Zealand/Aotearoa’, in Michael Peters (ed.), *Cultural Politics and the University in New Zealand/Aotearoa* (Palmerston North: Dunmore Press, 1997), 159–61.

31 Anne Orford, *International Law and the Politics of History* (Cambridge, Cambridge University Press, 2021).

32 Orford, *International Law*, 8. For the original formulation, see Paul Ricoeur, *Freud and Philosophy: An Essay on Interpretation* (New Haven, CT: Yale University Press, 1970), 9; as critiqued in Rita Felski, ‘Suspicious Minds’, *Poetics Today* 32, no. 2 (2011): 215–234 and *The Limits of Critique* (Chicago: Chicago University Press, 2015).



myth', a 'lego-historical story' bearing 'a striking resemblance to myth', and 'can be regarded as a lie' by an academic historian.<sup>33</sup> Predictably, Attwood's appeals to empiricist 'historical method' erase decades of Kaupapa Māori scholarship—research that centres Māori values, knowledge traditions, and worldviews—not to mention various anti-positivist, anti-elitist 'turns' in historical method. Beyond the halls of the academy, his theoretical discussions about 'the difference between academic history and history as myth' are open to weaponisation by the far right in Aotearoa New Zealand, much in the same way as conservative commentators in Australia embraced Attwood's 2004 description of 'black armband' history as 'a lie'.<sup>34</sup>

Turning to one of the most visible sites for the intersection of law and history, there are technical problems with Attwood's narration of the Waitangi Tribunal's work. Attwood emphasises, for example, that the Durie-led Tribunal 'used its governing legislation to *sanction what it wanted to do*', which was to 'turn the past into a storehouse in which [the Treaty] principles were to be identified; to judge the actions of the Crown in light of those principles; and ... make practical recommendations to government for change that would redress the breaches of the Treaty'. Or, later, that it '*chose* to use the authority that the Treaty of Waitangi Act had granted it'.<sup>35</sup> As a creature of statute, the Tribunal's jurisdiction is governed by its establishing Act. This legislation confers 'exclusive authority to determine the meaning and effect of the Treaty as embodied in the 2 texts and to decide issues raised by the differences between them'.<sup>36</sup> Yet Attwood describes the Tribunal finding it '*advantageous* to depart even further from Ross's [major] argument by invoking what it called the wairua (spirit) of the Treaty and taking issue with her focus on its texts'. This conclusion

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33 Bain Attwood, 'The Law of the Land or the Law of the Land? History, Law and Narrative in a Settler Society', *History Compass* 2, no. 1 (2004), 1–3; 18.

34 See David V. Williams, 'Originalism and the Constitutional Canon of Aotearoa New Zealand', in Mark Hickford and Carwyn Jones (eds.), *Indigenous Peoples and the State: International Perspectives on the Treaty of Waitangi* (Abingdon: Routledge, 2019), 60.

35 Attwood, *Bloody Difficult*, 117–118, emphasis added.

36 Treaty of Waitangi Act (1975), section 5(2).

makes it sound as though the departure was illicit, when really the Tribunal was practising Kaupapa Māori, following tikanga Māori and taking, in the words of the Motunui-Waipara report, a ‘Māori approach to the Treaty’.<sup>37</sup>

## Errors of Omission and Synthesis

As Linda Tuhiwai Smith wrote two decades ago, a ‘critical aspect’ of the struggle for Indigenous self-determination involves ‘questions relating to our histories as Indigenous peoples and a critique of how we, as the Other, have been represented or excluded from various accounts.’<sup>38</sup> Relatedly, Smith recognised that ‘the power to define what counts as real knowledge’ is the ‘epistemic core of colonialism’.<sup>39</sup> Ross herself came to realise not only the value, but the necessity of seeking out Māori knowledge. She learned about the Motukiore community’s whakapapa connections to Tiriti signatories, consulted local kaumātua regarding her theories, and sent drafts to Māori scholars and leaders for feedback. Given Ross’s demands that Pākehā look at history from the Māori perspective, her successful use of non-academic outlets, and ‘breaking the rules’ to write Treaty history from that perspective, it is surprising that Attwood himself does not consider post-Russian examples of either Māori history or similarly ‘undisciplined’ public history to be a legitimate part of his historiographical survey.<sup>40</sup>

Yet all the historians with whom Attwood consulted privilege (or exclusively see) a particular reading of Treaty history that centres Pākehā experience. Attwood anticipates this criticism, explaining that he is not aiming ‘to provide a comprehensive account of this debate’ in the sense of discussing all scholarship, but rather to discuss work that he considers ‘representative’.<sup>41</sup> Elsewhere, he has characterised the 1980s as a decade

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37 Attwood, *Bloody Difficult*, 125, emphasis added; Waitangi Tribunal, *The Waitangi Tribunal on The Motunui–Waitara Claim* (Wellington: Waitangi Tribunal, 1983), 47.

38 Linda Tuhiwai Smith, *Decolonizing Methodologies: Research and Indigenous Peoples*, 3rd ed. (London: Zed Books, 2021), 28.

39 Smith, *Decolonizing Methodologies*, xii.

40 Attwood, *Bloody Difficult*, 62; 148.

41 Attwood, *Bloody Difficult*, 244, n1; 246, n1.

when Māori ‘sought to indigenise the field’.<sup>42</sup> Where is that irredentist historiography here? Attwood doubts ‘there are any sound grounds for denying the status of history to mythic accounts of the Treaty’.<sup>43</sup> Why, then, do none of these accounts feature in a book ostensibly dedicated to Treaty historiography? The glaring flaw of this book stems from Attwood’s assumption, with few exceptions, that Māori historians of the Treaty did not exist in the period under consideration.<sup>44</sup> And I do not believe you can write this history without them.

Failures to incorporate Māori historians and mātauranga Māori occur at all three levels of Attwood’s framework: the cloistered, public, and private lives of history. At the cloistered level, academic Māori historians are largely ignored, excepting M. P. K. Sorrenson (treated as unschooled in the differences between law and history, or willing to dilute history with law for political advantage) and Nēpia Mahuika (whose work is selectively cited and misinterpreted).<sup>45</sup> The consequences are non-negligible. Citational practice is politics and ethics. Attwood thus made a choice to recirculate certain types of knowledge.<sup>46</sup> In these

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42 Bain Attwood, ‘Settler Histories and Indigenous Pasts: New Zealand and Australia’, in Axel Schneider and Daniel Woolf (eds.), *The Oxford History of Historical Writing: Volume 5: Historical Writing Since 1945* (Oxford: Oxford University Press, 2011), 601.

43 Attwood, *Bloody Difficult*, 199.

44 In the endnotes, when he concedes that Hickford’s and Banner’s work ‘was by no means the only important research done by legal historians that has a bearing on the Treaty’, he only cites non-Māori scholars.

45 Attwood, *Bloody Difficult*, 156–157. Elsewhere, Attwood has claimed that Sorrenson’s work was ‘not necessarily ... Maori [sic] history’—Attwood, ‘Settler Histories’, 598. I suspect his condescension towards Sorrenson is partly attributable to the latter’s praise of Orange (rather than Ross) as having ‘done more than any other historian to recover that submerged Māori history of the Treaty which has hitherto existed largely in oral tradition’—M. P. K. Sorrenson, ‘Towards a Radical Reinterpretation of New Zealand History: The Role of the Treaty of Waitangi’, in I.H. Kawharu (ed.), *Waitangi: Māori and Pakeha Perspectives of the Treaty of Waitangi* (Auckland: Oxford University Press, 1989), 159.

46 Hana Burgess, Donna Cormack, and Papaarangi Reid, ‘Calling Forth Our Pasts, Citing Our Futures: An Envisioning of a Kaupapa Māori Citational Practice’, *MAI Journal* 10, no. 1 (2021): 57–67.

choices, Attwood conveys a belief he attributes to Alan Ward: the status of history is ‘a superior way of representing the past’ to Māori knowledge traditions.<sup>47</sup> Elsewhere, he sketches a false binary between intellectual rigour and academic freedom (Pākehā knowledge traditions) and intellectual repression (Māori knowledge traditions).<sup>48</sup> He argues that Māori have ‘deliberately been telling stories that often rest on a blend of history, the common law, oral tradition, myth and mātauranga Māori’, and ‘[m]ost importantly, in refusing to accept the authority that history claims for its accounts of the past ... they have demanded that *their* ways of knowing the past be adopted by Pākehā and thereby become a “shared history”’.<sup>49</sup> Here, Attwood is writing against Mahuika. All that needs to be said, borrowing from Attwood, is that ‘a careful—even a cursory—reading’ would reveal this to be a misreading of Mahuika’s article and his body of work.

New Zealand history, as theorised by Mahuika, does not mean history by fiat or history *imposed* by Māori. It means respectful engagement with one another’s histories—hapū to hapū, iwi to iwi, people to people—in accordance with tikanga Māori.<sup>50</sup> And yet, this misinterpretation of Mahuika is the basis for Attwood’s dirge on academic freedom. He argues that Māori scholars have ‘compounded the difficulties that academics have been facing’ and ‘contributed to the decline in their capacity to be independent’ by persuading universities to emphasise ‘the importance of carrying out research and teaching in accordance with the principles that underpin mātauranga Māori’.<sup>51</sup> In turn, this threatens democracy: Māori resistance to the disciplinary norms ‘of what constitutes a fact

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47 Attwood, *Bloody Difficult*, 149.

48 Attwood, ‘E oho!’

49 Attwood, *Bloody Difficult*, 209.

50 Nēpia Mahuika, ‘New Zealand History *is* Maori History: Tikanga as the Ethical Foundation of Historical Scholarship in Aotearoa New Zealand’, *New Zealand Journal of History*, 49, no. 1 (2015): 5–30.

51 Attwood, *Bloody Difficult*, 209. See, also, Miranda Johnson, ‘Decolonising Universities? Myth-Histories of the Nation and Challenges to Academic Freedom in Aotearoa New Zealand’, *Transactions of the Royal Historical Society* 1 (2023): 329–347.

and evidence' could 'fragment the body politic and thereby impair the capacity of the nation to function'.<sup>52</sup> This is a lot of flak to throw at a body of knowledge that has not been done the honour of analysis, close reading, or even the naming of its key practitioners. Here, Attwood adopts the same ethnic essentialism as he rubbished in 'foundational' Treaty histories, lumping in all Māori intellectuals, from all hapū, all iwi, all political persuasions, into the same anti-democratic threat. Moreover, to read universities' endorsement of mātauranga Māori in this way is to neglect the demographics and hierarchies of the institution. The tertiary sector employs 'a static five percent Māori' across all disciplines.<sup>53</sup> It is unclear how Attwood sees this minority wantonly imposing its mandate on the rest of the kaimahi. He offers no evidence, only, as Joanna Kidman notes, 'a dog whistle'.<sup>54</sup>

If this book were truly about 'sharing histories', it would have at least engaged with the well-known work of Linda Tuhiwai Smith, Graham Hingangaroa Smith, and others on Kaupapa Māori theory and Mana Wāhine theory, both Māori-centric research frameworks developed from the 1970s that have transformed scholarly work about, by, and for tangata whenua. In his study of the public life of history, nowhere does Attwood explain why it is only academic public historians of the Treaty who merit inclusion.<sup>55</sup> His narrow definition of public history makes the same mistake as that made by Michael King. In his 1985 memoir, *Being Pakeha*, King asserted that by 1984, 'there were still no Maori [sic] historians'.<sup>56</sup> Almost 40 years on, Attwood pays remarkably little attention to the many spaces in which histories have since been shared, often amicably and productively: the sharing of kōrero and pūrākau

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52 Attwood, *Bloody Difficult*, 209.

53 Jacinta Ruru and Linda Waimarie Nikora (eds.), *Ngā Kete Mātauranga: Māori Scholars at the Research Interface* (Dunedin: Otago University Press, 2021), 16.

54 Joanna Kidman, 'A bloody difficult historian,' *Newsroom*, 24 May 2023.

55 This is not a feature of his earlier work—see Attwood, *Telling the Truth*, 51–52.

56 Michael King, *Being Pakeha: An Encounter with New Zealand and the Maori Renaissance* (Auckland: Hodder and Stoughton, 1985), 164.

(stories, evidence) in the Waitangi Tribunal, collective works of history, public history projects such as art exhibitions, school programmes, and so on. If Attwood were less ‘detached’, perhaps he would have thought to refer to the Tribunal’s innovative procedures for evidence-gathering, methods of sharing histories that whakamana (empower) wāhine Māori.<sup>57</sup> By conflating academic with public histories, Attwood does not recognise Māori and tauīwi articulations of Treaty history, which have been voluble since the 1970s. Māori protest is noted by Attwood to support his argument that Ross was central to Treaty history, rather than treating such protest as part of the reinterpretation of Treaty history itself. As Jane Kelsey and Linda Tuhiwai Smith have both commented, ‘the real education on [the Treaty] and decolonisation was happening outside the university’, through an alternative, collaborative, DIY curriculum, and activist-intellectual work.<sup>58</sup> Māori law, as well as contemporary Māori artmaking, were central to ‘the reinvention of New Zealand’s history’.<sup>59</sup>

This book legitimises only specific histories as history, with the author beholden to a ‘limited view of the field of historical production’.<sup>60</sup> This decision has obvious narrative consequences. Attwood’s source selection both adopts and reinforces a diffusionist view of Treaty historiography: the cloistered (Pākehā) historians wrote, published, and occasionally addressed the public, and the public fell in line, with protesters changing their slogans and demands. This conclusion is to mistake the nature, extent, and sources of knowledge-sharing in the late twentieth century. Certainly, Attwood gives Ross’s 1972 article too much causal influence, writing as though it were the fulcrum of late twentieth-century politics

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57 See the Takapou Whāriki process piloted in the Mana Wāhine Kaupapa Inquiry (Wai 2700).

58 Smith, *Decolonizing Methodologies*, 15; Jane Kelsey, ‘Truth to Power: The Critical Legal Academic as Licensed Subversive’, *New Zealand Law Review* 33, no. 1 (2023), 52.

59 Jonathan Mané-Wheoki, ‘The Resurgence of Maori Art: Conflicts and Continuities in the Eighties’, *The Contemporary Pacific* 7, no. 1 (1995): 1–19; Moana Jackson, ‘Maori Law, Pakeha Law, and the Treaty of Waitangi’, in *Mana Tiriti: The Art of Protest and Partnership* (Wellington: Daphne Brasell Associates Press, 1991), 15.

60 Trouillot, *Silencing the Past*, 19.

and the legal system in New Zealand. Indeed, at times his elevation of Ross's scholarship seems like its own brand of foundational history, laying claim to post-foundationalism solely by virtue of deposing Orange as 'the Treaty historian'. One of his conclusions is that history has been 'too important in New Zealand politics, culture and society', and we ought to rethink the appropriate roles of 'history and its practitioners', perhaps handing over many Treaty-related issues to lawyers and philosophers.<sup>61</sup> What is really needed is a more egalitarian/open account of the importance of history in New Zealand society. One that focuses more on the multilateral flows of historical knowledge, interpretation, and influence between different types of knowledge-producers, different types of historians.

Finally, within the private life of history, the exclusion of Māori historians is linked to Attwood's reverence for Oxbridge degrees and so-called detachment from one's subject matter. Considering how psychoanalytical this book is—of individual historians, entire ethnicities, and 'the nation'—it merits much more of what Martin Dusinberre calls 'authorial metadata'.<sup>62</sup> By interweaving transpacific historiographies of settler colonialism, labour history, and resource extraction, Dusinberre's latest monograph takes seriously questions of authorial positionality in the writing of global history, particularly around archival practice. It is no longer 'intellectually defensible' *not* to discuss one's archival methodologies or avoid self-reflective analysis in the writing of history: who is the writer, and how has institutional conditioning coloured their reading of the archives? Acknowledging the 'situatedness of our knowledge production' can 'encourage more transparent conversations between practitioners of history from diverse knowledge backgrounds'. Failure to do so only reinforces 'a long-standing epistemological divide—one paralleled in colonial settings—between knowledge producers and

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61 Attwood, *Bloody Difficult*, 201. This is confusing, given his adjacent defence of history as bulwark of democracy and the 'open society'.

62 Martin Dusinberre, *Mooring the Global Archive: A Japanese Ship and Its Migrant Histories* (Cambridge: Cambridge University Press, 2023), xxi.

knowledge recipients'.<sup>63</sup> *A Bloody Difficult Subject* falls on the former side of this divide, paying little attention to asymmetries in access to archives or the power asymmetries within the discipline of history.<sup>64</sup> These asymmetries 'grant metropolitan researchers access to more resources' and 'control over the means of widespread dissemination of knowledge.' This 'material hierarchy' generates an artificial 'epistemic hierarchy', which privileges metropolitan knowledges as 'sophisticated' and positions other knowledges as "raw data" or stories that need to be framed and put into perspective by the formally certified intellectual'.<sup>65</sup> In a better book, this is where Kaupapa Māori and Mana Wāhine theories might intervene, enabling researchers to interrogate and unlearn such 'privileged analytical frameworks' and instead treat Māori intellectuals as pūkenga, as tohunga (experts), as historians.<sup>66</sup>

Like John Pocock, '[t]he New Zealand in which [Attwood] grew up was able to construct a historical narrative in which Maori [sic] played no independent part after about 1870', hence the Māori people had 'spent the last fifty years asserting itself in politics and compelling a new historiography'.<sup>67</sup> Unlike Pocock, Attwood does not acknowledge his research as grounded in his Pākehā identity.<sup>68</sup> And the Māori generation of 'a new historiography' is given short shrift. Taking his lead from Pocock in so much else, why does Attwood not see fit to clarify how his positionality has impacted his history writing and why he excludes mātauranga Māori from his conception of history? Attwood pretends to the same gentlemanly

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63 Dusinberre, *Mooring*, 268-269.

64 Michel-Rolph Trouillot, *Silencing the Past: Power and the Production of History* (Boston: Beacon Press, 1995), 105.

65 Richa Nagar, *Muddying the Waters: Coauthoring Feminisms Across Scholarship and Activism* (Urbana, IL: University of Illinois Press, 2014), 3.

66 Graham Hingangaroa Smith, 'The Development of Kaupapa Māori: Theory and Praxis' (PhD thesis, University of Auckland, 1997).

67 J. G. A. Pocock, *The Discovery of Islands: Essays in British History* (Cambridge: Cambridge University Press, 2005), 7.

68 Pocock, *Discovery of Islands*, 3.



detachment and distance for which he praises others.<sup>69</sup> Yet he does not offer readers much about himself other than shards of academic relationships and a nod to his geographical distance, now living across the Tasman. It is a distance that he believes is enabling, allowing him to write a superior, critical account of Treaty history.<sup>70</sup>

Māori accounts of Treaty history have been silenced at each stage in Trouillot's process of historical reproduction, but especially the last two: the making of *narratives*, and “the making of *history*” in the final instance’.<sup>71</sup> Bizarrely, Attwood does not seem alive to having produced this effect, reinforcing the ascendancy of Pākehā historical narratives. More so than the foundational histories he denounces, Attwood's post-foundational history subsumes, silences, and ‘pushe[s] Māori to the margins of the national narrative’. This ‘monocultural, Pākehā-centric national narrative’, observes Mahuika, is ‘an ethical issue in historical scholarship’.<sup>72</sup> Contrary to the final chapter's protestations, it is not ‘knowledge’ or ‘truth’ that Attwood is interested in protecting, but the socio-political power of Eurocentric expertise. Thank goodness, then, for self-identified ‘activist native historian[s]’ like Mahuika, committed to challenging ‘global and national conceptions of history that continue to erase [Māori] from history books and school curricula’.<sup>73</sup>

## Conclusion

This book could have any number of alternative titles pulled from Ross's correspondence: ‘what a hell of a subject’; ‘a complete balls-up’; ‘a series of flounderings and near-drownings’; ‘the translation problem’; ‘the real guts’; ‘that damned text’; ‘an impossible situation’, and ‘Waitangi-itis’. Ultimately, though, it bears the right title. It *is* a bloody difficult subject. That is why so many people have written, sung, painted, carved, woven,

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69 Attwood, *Bloody Difficult*, xiii; 204.

70 Attwood, ‘E Oho!’, Attwood, *Bloody Difficult*, xiv.

71 Trouillot, *Silencing the Past*, 26, emphasis in original.

72 Mahuika, ‘New Zealand History’, 11.

73 Mahuika in Ruru and Nikora, *Ngā Kete Mātauranga*, 157.

danced, protested, stayed silent, and been arrested over it. To write ‘a truly historical account of the Treaty’, we ought to engage with their work, too.

I am told that it is ‘intellectually bossy to admonish texts for not being what one hopes them to be’.<sup>74</sup> Still, here’s a story I would have loved this book to tell, alongside its mastery of mainstream historians: a more inclusive academic history, a public history of the Treaty that is truly public, that *sees* histories being written by people other than the usual suspects. People who turn out to have a lot to say to one another. Like the claimants and witnesses in the Mana Wāhine Kaupapa Inquiry. Like Ani Mikaere, Ngahua Te Awekotuku, Linda Tuhiwai Smith, Graham Hingangaroa Smith, Nin Tomas, Annette Sykes, Jacinta Ruru, Tom Roa, Claire Charters, Aroha Harris, Ngāpare Hopa, Donna Awatere, Jane Kelsey, Arini Loader, Vincent O’Malley, Moana Maniapoto, Mānuka Hēnare, Mīria Simpson, Moana Jackson, Margaret Mutu, Melissa Matutina Williams, Danny Keenan, Madi Williams, or the many members of Te Pouhere Kōrero, the Māori History Association. That reads more like a solid foundation for sharing histories to me.

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74 Alice Te Punga Somerville, *Once Were Pacific: Māori Connections to Oceania* (Minneapolis: University of Minnesota Press, 2012), 123.